



APPLICATION ACCEPTED: March 27, 2017
PLANNING COMMISSION: July 19, 2017
BOARD OF SUPERVISORS: July 25, 2017 @ 3:30pm

County of Fairfax, Virginia

JULY 5, 2016

STAFF REPORT

SE 2017-LE-006

LEE DISTRICT



APPLICANT: DVA Telegraph – 7710, LLC

ZONING: Neighborhood Retail Commercial District (C-5)

LOCATION: 7710 Telegraph Road, Alexandria, 22315
(Also Known as 7716 Telegraph Road, Alexandria, 22315)

PARCEL: 100-2 ((01)) 1A

ACREAGE: 30,683 square feet

PLAN MAP: Alternative Uses

SE CATEGORY: Category 5, Use 11– Fast Food Restaurants (Section 9-505)

PROPOSAL: To permit a fast food restaurant with a drive-through.

STAFF RECOMMENDATIONS:

Staff recommends approval of SE 2017-LE-006, subject to development conditions consistent with those contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in imposing any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

Kelly Posusney, AICP

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

The approval of this Special Exception does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Exception

SE 2017-LE-006



Applicant:
Accepted:
Proposed:

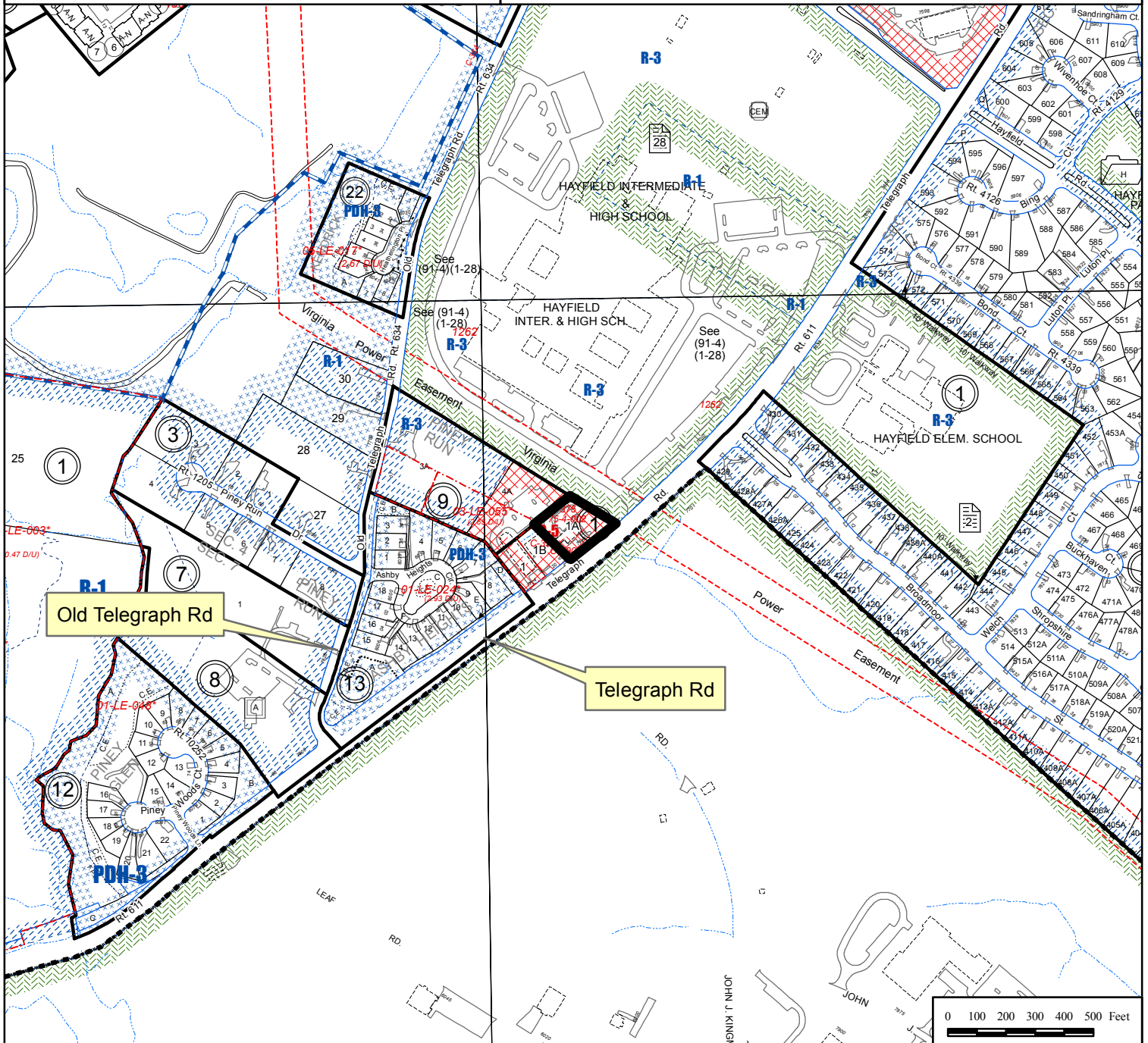
DVA TELEGRAPH - 7710, LLC
03/27/2017
FAST FOOD RESTAURANT WITH DRIVE THROUGH

Area:
Zoning Dist Sect:
Located:

30683 SF OF LAND; DISTRICT - LEE
04-0504
7710 TELEGRAPH ROAD, ALEXANDRIA, VA 22315

Zoning:
Plan Area:
Overlay Dist:
Map Ref Num:

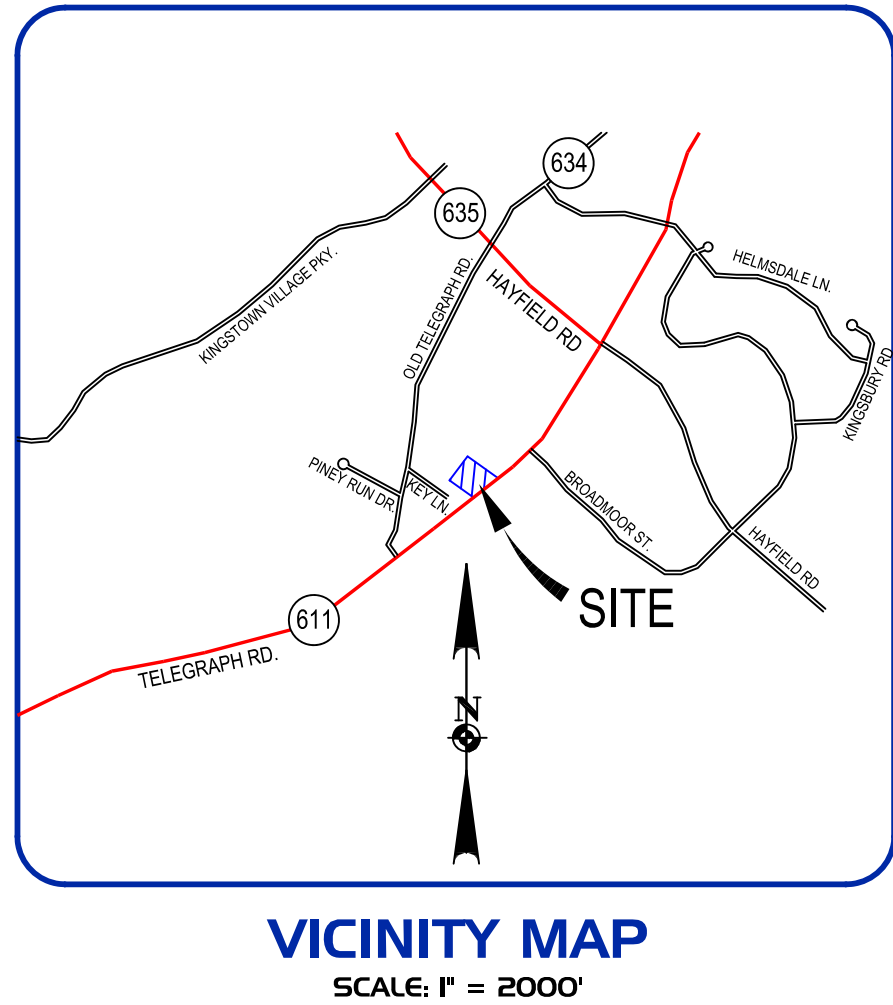
C- 5
4,
100-2- /01/ /0001A



LEGEND

- IPF IRON PIPE FOUND
- IPS IRON PIPE SET
- DHF DRILL HOLE FOUND
- ⊙ SD STORM MANHOLE
- ⊙ SM SANITARY MANHOLE
- ⊙ UP UTILITY POLE
- ⊙ HW HANDICAPPED
- ⊙ GW GUY WIRE
- ⊙ LP LIGHT POLE
- ⊙ S SIGN
- ⊙ WM WATER METER
- ⊙ 3 PARKING SPACES
- ⊙ NO PARKING
- ⊙ TEL TELEPHONE/COMMUNICATIONS PEDISTAL
- ⊙ PROPOSED PARKING MODIFICATIONS
- 1 PROPOSED STACKING SPACES

LOT 4-A
PLAT SHOWING
MINOR ADJUSTMENT OF PROPERTY LINES
LOTS 3 AND 4
PINEY RUN
SECTION 6
DB. 18175, PG. 255 (SUBDIVISION)
HAYFIELD CENTRE L.L.C.
TAX MAP 100-1-((9))-4A
DB. 19301, PG. 1308 (VESTING DEED)
ZONED: C-5



NOTES:

- CURRENT OWNER: TELEGRAPH CENTRE LLC, D.B. 24146, PG. 1676.
- THIS PROPERTY IS CLASSIFIED AS ZONE X, AN AREA OF MINIMAL FLOOD HAZARD IN ACCORDANCE WITH FLOOD HAZARD BOUNDARY MAP NO. 515525 0128 D.
- BEARINGS BASED ON A DEED OF DEDICATION RECORDED IN DEED BOOK 3379, PAGE 60, AMONG THE LAND RECORDS OF FAIRFAX COUNTY.
- BOUNDARY INFORMATION SHOWN HEREON IS BASED ON AVAILABLE DEEDS, PLATS OF RECORD AND VERIFIED BY A CURRENT FIELD SURVEY BY THIS FIRM.
- IPF: DENOTES IRON PIPE FOUND.
- THIS SURVEY IS A GRAPHIC DEPICTION OF THE LOCATION OF IMPROVEMENTS ONLY. NO CORNER MARKERS SET.
- ANY HAND DRAWN FEATURES OR OTHER MODIFICATIONS SHOWN ON THIS PLAT WERE NOT AUTHORIZED BY THE LAND SURVEYOR WHOSE SIGNATURE AND SEAL APPEAR ON ITS FACE.
- PLAT DIMENSIONS TO PROPERTY LINE ACCOUNT FOR BRICK VENEER WHERE APPLICABLE.
- BUILDING AND LOT COVERAGE CALCULATIONS INCLUDE BRICK VENEER.
- PROPERTY IS SERVED BY PUBLIC WATER AND SEWER.
- VERTICAL INFORMATION SHOWN HEREON IS BASED ON FAIRFAX COUNTY SANITARY SEWER M.H. 100-2-100, INVERT ELEVATION = 82.44 (NGVD29)
- CONTOURS SHOWN HEREON ARE AT 2 FOOT INTERVALS.
- THERE ARE NO KNOWN GRAVE SITES ON THE PROPERTY.
- FAR = 0.07 (EXISTING AND PROPOSED). MAX ALLOWED = 0.30.
- TITLE REPORT FURNISHED BY LAWYERS TITLE INSURANCE CORPORATION, COMMITMENT NO. KP-1205, COMMITMENT DATE: FEBRUARY 15, 2008. EASEMENTS OR INCUMBRANCES SUBSEQUENT TO THIS MAY EXIST THAT ARE NOT SHOWN HEREON.
- THERE ARE NO FLOODPLAINS OR RESOURCE PROTECTION AREAS LOCATED WITHIN THE PROPERTY.

PLAN REVISIONS		DESCRIPTION
NO.	DATE	DESCRIPTION
1	1/12/2017	ADDRESS 1ST SUBMISSION COMMENTS
2	2/28/2017	ADDRESS 2ND SUBMISSION COMMENTS
3	6/16/2017	ADDRESS PRE-STACKING COMMENTS
4	6/18/2017	UPDATE PRE-STACKING PLAN
5	6/18/2017	UPDATE PRE-STACKING PLAN
6	7/14/2017	ADD LINE OF SIGHT SHEET

SPECIAL EXCEPTION PLAT - EXISTING CONDITIONS
PARCEL B
DRUSILLA Y. CHAUNCEY
SUBDIVISION
D.B. 3379 PG. 60
FAIRFAX COUNTY, VIRGINIA

SCALE: 1" = 20'
DATE: 06-06-2017
DRAWN BY: CSM
CHECKED BY: FKP
COMMONWEALTH OF VIRGINIA
RED KENDALL PRICE
Lic. No. 002837
6/6/17
LAND SURVEYOR
SHEET 1 OF 5

PARCEL "B"
PLAT OF
SUBDIVISION
ON THE LAND OF
DRUSILLA Y. CHAUNCEY
DB. 3379, PG. 60 (SUBDIVISION)
FIRST VIRGINIA BANK
TAX MAP 100-2-((1))-001A
DB. 24146, PG. 1676 (VESTING DEED)
ZONED: C-5

THE SCHOOL BOARD OF FAIRFAX COUNTY
TAX MAP 091-4-((1))-28
DB. 2789, PG. 558
ZONED: R-3

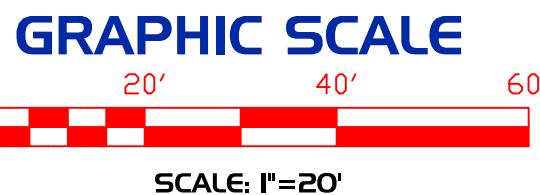
PARCEL "B"
30,683 S.F.
0.70438 AC.
(Pre Dedication)

EXISTING PARKING SPACES
29 REGULAR SPACES
1 HANDICAPPED

CURVE TABLE

CURVE	RADIUS	ARC	DELTA ANGLE	TANGENT	CHORD	CHORD BEARING
C1	2824.79'	189.97'	03°51'12"	95.02'	189.94'	S 51°29'54" W

HEAD WALL
TOP=77.89
24" INV. OUT(W)=75.58
24" INV. OUT(E)=75.46

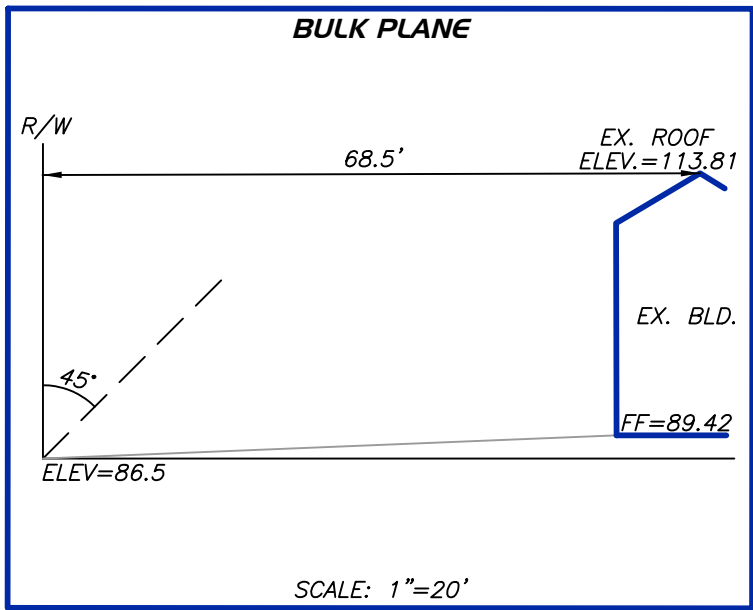


I HEREBY CERTIFY THAT THE POSITION OF ALL THE EXISTING IMPROVEMENTS ON THE ABOVE DESCRIBED PROPERTY HAS BEEN CAREFULLY ESTABLISHED BY ELECTRONIC EQUIPMENT AND/OR TRANSIT-TAPE SURVEY AND THAT UNLESS OTHERWISE SHOWN, THERE ARE NO VISIBLE ENCROACHMENTS.

LEGEND

- IPF IRON PIPE FOUND
- IPS IRON PIPE SET
- DHF DRILL HOLE FOUND
- SD STORM MANHOLE
- S SANITARY MANHOLE
- UTILITY POLE
- HANDICAPPED
- GUY WIRE
- LIGHT POLE
- SIGN
- WM WATER METER
- 3 PARKING SPACES
- NO PARKING
- TELEPHONE/COMMUNICATIONS PEDISTAL
- PROPOSED PARKING MODIFICATIONS
- 1 PROPOSED STACKING SPACES

LOT 4-A
PLAT SHOWING
MINOR ADJUSTMENT OF PROPERTY LINES
LOTS 3 AND 4
PINEY RUN
SECTION 6
DB. 18175, PG. 255 (SUBDIVISION)
HAYFIELD CENTRE L.L.C.
TAX MAP 100-1-((9))-4A
DB. 19301, PG. 1308 (VESTING DEED)
ZONED: C-5



PROPOSED PARKING & SEATING

	REQUIRED	PROPOSED
REGULAR PARKING SPACES	11	19
HANDICAPPED PARKING SPACES		1
STACKING SPACES	11	11
SEATING		22

DISTURBED AREA

LOD AREA #1	2194 SQ. FT.
LOD AREA #2	293 SQ. FT.
TOTAL AREA OF DISTURBANCE	2487 SQ. FT.

PARCEL "B"
PLAT OF
SUBDIVISION
ON THE LAND OF
DRUSILLA Y. CHAUNCEY
DB. 3379, PG. 60 (SUBDIVISION)
FIRST VIRGINIA BANK
TAX MAP 100-2-((1))-001A
DB. 24146, PG. 1676 (VESTING DEED)
ZONED: C-5

NOTES:

- SITE AND/OR STOPPING DISTANCE STUDIES/PROFILES WILL BE PROVIDED WITH FINAL SITE PLAN SUBMISSION.
- STORMWATER MANAGEMENT/BEST MANAGEMENT PRACTICES & ADEQUATE OUTFALL ISSUES WILL BE ADDRESSED WITH THE FINAL SITE PLAN SUBMISSION.
- THERE WILL BE A REDUCTION IN IMPERVIOUS AREA THAT WILL BE SHOWN ON FINAL SITE PLAN SUBMISSION.
- EXISTING DOUBLE CHAIN LINK FENCE LOCATED AT THE REAR SIDE TO BE REMOVED WITHIN THE PROPERTY LIMITS.
- EXISTING 6" WOOD FENCING LOCATED AT THE REAR SIDE TO BE REMOVED WITHIN THE PROPERTY LIMITS.

AREA TABULATION

PRE DEDICATION	DEDICATION	POST DEDICATION
30,683 SQ. FT. OR 0.70438 ACRES	2,650 SQ. FT. OR 0.06084 ACRES	28,033 SQ. FT. OR 0.64354 ACRES

OPEN SPACE TABULATION

TOTAL SQ FT	LOT AREA	20% REQUIRED
6,248 SQ. FT. OR 0.14343 ACRES	30,683 SQ. FT. OR 0.70438 ACRES	20.4%

THE SCHOOL BOARD OF FAIRFAX COUNTY
TAX MAP 091-4-((1))-28
DB. 2789, PG. 558
ZONED: R-3

PARCEL "B"
30,683 S.F.
0.70438 AC.
(Pre Dedication)

CURVE TABLE

CURVE	RADIUS	ARC	DELTA ANGLE	TANGENT	CHORD	CHORD BEARING
C1	2824.79'	189.97'	03°51'12"	95.02'	189.94'	S 51°29'54" W

GRAPHIC SCALE



SCALE: 1"=20'

SPECIAL EXCEPTION PLAT - PROPOSED CONDITIONS

PARCEL B
DRUSILLA Y. CHAUNCEY
SUBDIVISION
D.B. 3379 PG. 60
LEE DISTRICT FAIRFAX COUNTY, VIRGINIA

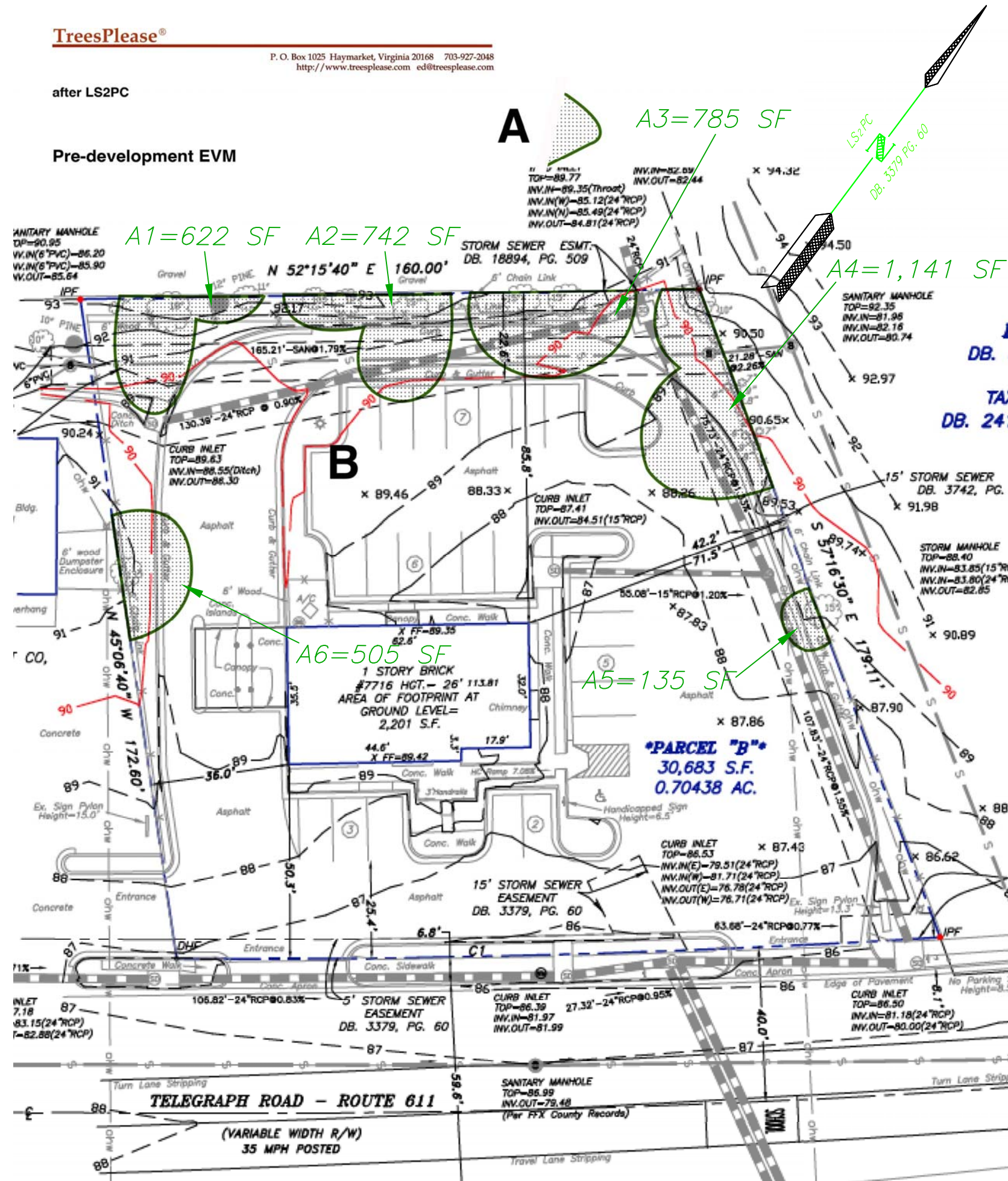
SCALE: 1"=20'
DATE: 06-06-2017
DRAWN BY: CSM
CHECKED BY: FKP



SHEET 2 OF 5

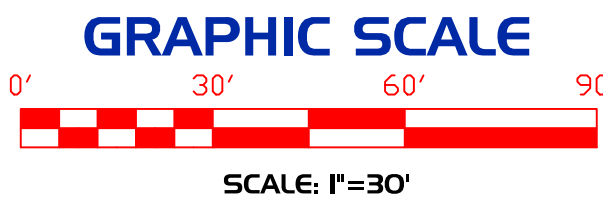
after LS2PC

Pre-development EVM



EVM TREE CANOPY AREA TABULATION

A1 = 622 SF
A2 = 742 SF
A3 = 785 SF
A4 = 1,141 SF
A5 = 135 SF
A6 = 505 SF
A TOTAL = 3,930 SF



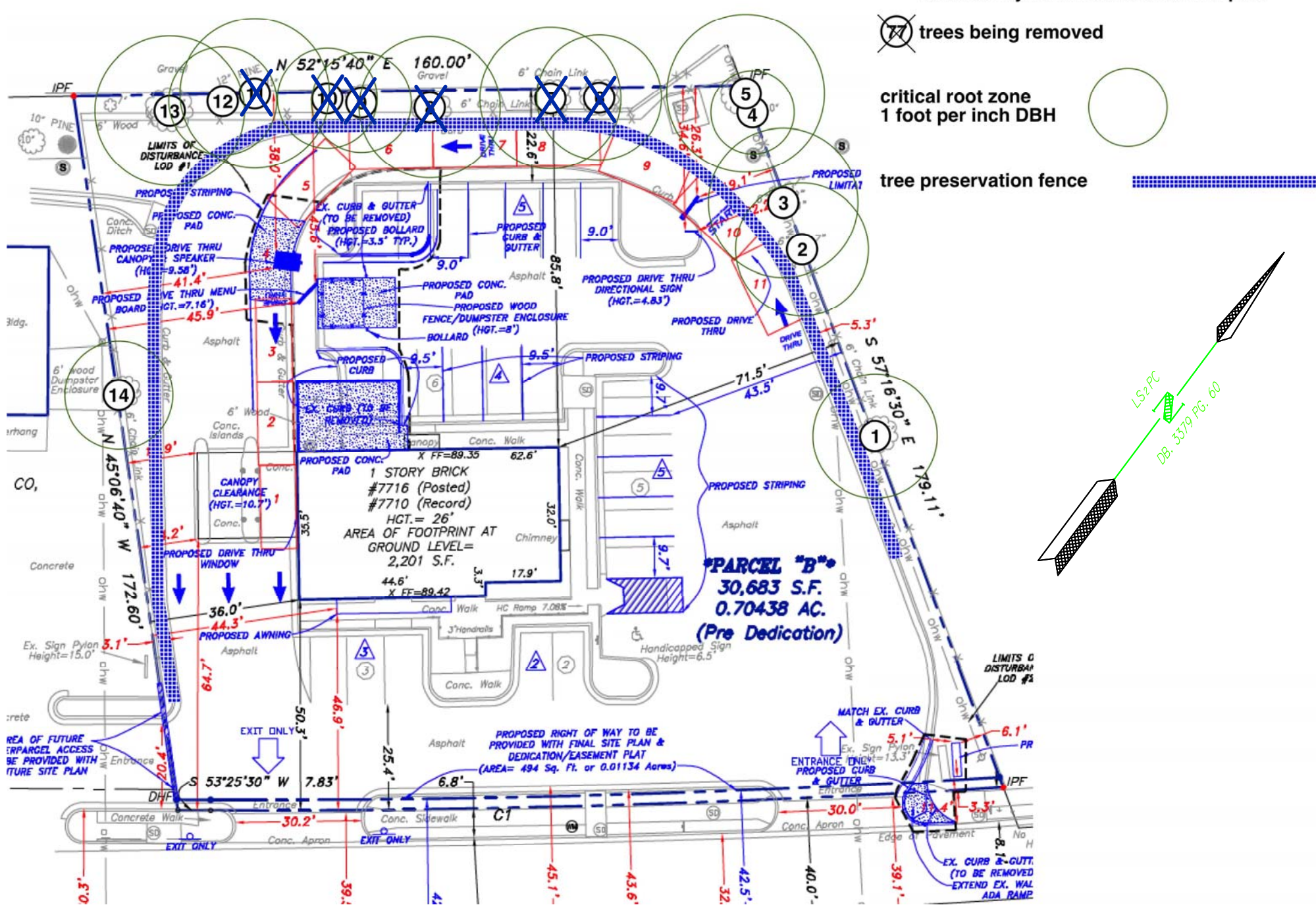
Existing Vegetation Map

Dunkin Donuts

Cover Type	Primary Species	Understory Species	Comments	Successional Stage	Condition	Area
A Developed	<i>Morus alba, Robinia pseudoacacia</i>	Turfgrass, landscape, and groundcover	Commercial lawn and landscape	Sub-climax	Fair to good	3,930sf
B Developed	N/A	N/A	Commercial development	N/A	N/A	26,753sf
Total Area						30,683sf

after LS2PC

Tree conservation plan



Do not remove offsite or jointly owned trees without written permission from owners!
⑦ trees inventoried for code requirements; these numbers supersede other visible numbers/symbols for trees on the plan
⑦ trees being removed

critical root zone
1 foot per inch DBH

tree preservation fence

NOTES:

- STUMPS SHALL BE GROUND DOWN TO A DEPTH OF EIGHT INCHES.
- SUITABLE SOILS SHALL REPLACE EXISTING SOILS WHERE PROPOSED PLANTING AREAS ARE LOCATED.
- SUITABLE SOILS SHALL BE PROVIDED TO DEMOLISHED PARKING AREA THAT IS INTENDED FOR PLANTING.

Appendix
Development Tree Inventory
Dunkin Donuts
Fairfax County, Virginia
June 7, 2017

Prepared by
Edward P. Milhous
TreesPlease®

ASCA RCA® #350 ISA #MA-0004A MD TE #458

Tree #	Name	Size	Condition	Comment	Recommendation
1	black cherry	15	.5	It appears this tree is jointly-owned with neighbors. Suitability for preservation: <i>poor</i> . Its chance of surviving planned construction is good. Severely pruned in the past to clear utility lines. An old fence is embedded in this tree's trunk. DBH estimated.	Do not remove jointly-owned trees without owner consent. Leave the tree standing unless you have permission to cut. Owner's option on saving this tree, no cover credit claimed.
2	red maple	10/8/7/7	.5	It appears this tree is jointly-owned with neighbors. Suitability for preservation: <i>poor</i> . Its chance of surviving planned construction is good. Severely pruned in the past to clear utility lines.	Do not remove jointly-owned trees without owner consent. Leave the tree standing unless you have permission to cut. Owner's option on saving this tree, no cover credit claimed.
3	red maple	9/8/6/9/7	.5	It appears this tree is jointly-owned with neighbors. Suitability for preservation: <i>poor</i> . Its chance of surviving planned construction is good. Severely pruned in the past to clear utility lines.	Do not remove jointly-owned trees without owner consent. Leave the tree standing unless you have permission to cut. Owner's option on saving this tree, no cover credit claimed.
4	black gum	10	.5	It appears this tree is jointly-owned with neighbors. Suitability for preservation: <i>poor</i> . Its chance of surviving planned construction is good. Severely pruned in the past to clear utility lines.	Do not remove jointly-owned trees without owner consent. Leave the tree standing unless you have permission to cut. Owner's option on saving this tree, no cover credit claimed.
5	black gum	9/17	.5	It appears this tree is jointly-owned with neighbors. Suitability for preservation: <i>poor</i> . Its chance of surviving planned construction is good. Severely pruned in the past to clear utility lines.	Do not remove jointly-owned trees without owner consent. Leave the tree standing unless you have permission to cut. Owner's option on saving this tree, no cover credit claimed.

© E. P. Milhous June 7, 2017

1

Dunkin Donuts

Dunkin Donuts Tree Preservation Narrative/Activities

- Prior to any construction activity, all individual trees and groups of trees shown to be preserved on the Tree Preservation Plan shall be protected by fencing a minimum of four feet in height, placed at the limits of clearing and grading, or as determined by Fairfax County Urban Forestry Division representatives during the pre-construction meeting. Tree protection fencing shall be one of the following:
 - 14 gage steel welded wire "farm fence", on 6 foot steel posts driven into the ground 18 inches and placed not more than 10 feet apart
 - super silt fence
 - orange fence on 6 foot steel posts driven into the ground 18 inches and placed not more than 5 feet apart.
- The tree protection fencing shall be made clearly visible to all construction personnel with signs posted every 25 feet on the fence stating in English and Spanish that it is a tree preservation area and no entry is permitted. The fencing shall be installed prior to any work being conducted on the site, including the demolition of any existing structures or fences.
- All construction mobilization/activity, materials storage, and motorized equipment shall be prohibited beyond the limits of clearing and grading shown on the site plan and the Tree Preservation Plan unless previously approved by Fairfax County Urban Forestry Division.
- Root Pruning: No root pruning is required on this site.
- Clearing Operations: Trees to be removed shall be felled in such a manner as to preserve the trees that are to remain. Trees directly adjacent to but within the limits of clearing and grading shall be felled by hand, with a chain saw, and the stumps shall remain in place or shall be ground out. If, due to site constraints, the stumps must be grubbed out, this shall be done only after root pruning along the limits of clearing and grading has occurred, and shall be done in a manner that does not injure trees to be preserved.
- Trees within the tree preservation areas, which are individually identified to be removed, shall be felled by hand with a chain saw and the stumps shall remain in place. Such trees shall be felled in a manner that does not injure trees to be preserved. Trees to be removed from the tree preservation area shall be dropped into the area to be cleared, or pieced down. These trees shall be moved into the area to be cleared without injuring remaining vegetation.
- Off-site and jointly owned trees should receive special attention; if possible, discuss the project with owners of such trees before starting work if their trees are affected by construction. Make all reasonable efforts to preserve off site and jointly owned trees.
- Tree care procedures shall meet or exceed American National Standards Institute (ANSI) Standard Practices for Trees, Shrubs, and Other Woody Plant Maintenance ANSI A300.
- All of the requirements of the Public Facilities Manual shall be met.
- Demolition Operations: Buildings, concrete pads, and concrete or asphalt paths and driveways or roadways, debris and junk within or adjacent to tree preservation areas shall be removed in such a way that trees to be preserved are not damaged. Equipment shall at all times remain on concrete or wood-chip padded surfaces rather than positioning on soil or vegetation. Buildings near trees to be saved shall be pulled over, away from trees, using cables, rather than pushed over with equipment. Concrete and debris within tree preservation areas shall be pulled up and loaded onto equipment without the equipment leaving the concrete or wood-chip padded surfaces.
- Information in these plan notes, tree inventory, and all plans related to trees refer only to trees that are within 25 feet outside the LOC or within 10 feet inside the LOC; no other trees were examined.

Appendix Development Tree Inventory Dunkin Donuts, Fairfax County, Virginia June 7, 2017

Tree #	Name	Size	Condition	Comment	Recommendation
6	white mulberry	15	.75	Suitability for preservation: <i>poor</i> . Its chance of surviving planned construction is good. One of the worst invasive exotics, it is an undesirable tree. No access; viewed from behind fence and DBH estimated.	Owner's option on saving this tree; no cover credit claimed. Recommended for removal
7	white mulberry	17	.75	Suitability for preservation: <i>poor</i> . Its chance of surviving planned construction is good. One of the worst invasive exotics, it is an undesirable tree. No access; viewed from behind fence and DBH estimated.	Owner's option on saving this tree; no cover credit claimed. Recommended for removal
8	white mulberry	17	.75	Suitability for preservation: <i>poor</i> . Its chance of surviving planned construction is good. One of the worst invasive exotics, it is an undesirable tree. No access; viewed from behind fence and DBH estimated.	Owner's option on saving this tree; no cover credit claimed. Recommended for removal
9	black locust	12	.75	Suitability for preservation: <i>moderate</i> . Its chance of surviving planned construction is good. Black locusts are okay when small, but are not long-lived. No access; viewed from behind fence and DBH estimated.	This tree is to be saved. Recommended for removal
10	black locust	12	.75	Suitability for preservation: <i>moderate</i> . Its chance of surviving planned construction is good. Black locusts are okay when small, but are not long-lived. No access; viewed from behind fence and DBH estimated.	This tree is to be saved. Recommended for removal
11	black locust	12/13	.75	It appears this tree is jointly-owned with neighbors. Suitability for preservation: <i>moderate</i> . Its chance of surviving planned construction is good. Black locusts are okay when small, but are not long-lived. No access; viewed from behind fence and DBH estimated.	Do not remove jointly-owned trees without owner consent. Leave the tree standing unless you have permission to cut. This tree is to be saved. Recommended for removal; letter fr co-owner required
12	eastern redcedar	13	.75	Suitability for preservation: <i>good</i> . Its chance of surviving planned construction is good. No access; viewed from behind fence and DBH estimated.	This tree is to be saved.
13	silver maple	18	.75	Suitability for preservation: <i>moderate</i> . Its chance of surviving planned construction is good. No access; viewed from behind fence and DBH estimated.	This tree is to be saved.
14	American elm	13	.75	It appears this tree is jointly-owned with neighbors. Suitability for preservation: <i>moderate</i> . Its chance of surviving planned construction is good. Dutch elm disease is a threat to any American elm. An old fence is embedded in this tree's trunk.	Do not remove jointly-owned trees without owner consent. Leave the tree standing unless you have permission to cut. This tree is to be saved.

© E. P. Milhous June 7, 2017

2

Dunkin Donuts

PLAN REVISIONS

NO.	DATE	DESCRIPTION
1	1/12/2017	1ST SUBMISSION COMMENTS
2	2/28/2017	ADDRESS 2ND SUBMISSION COMMENTS
3	6/16/2017	ADDRESS PRE-STAFFING COMMENTS
4	6/18/2017	UPDATE PRE-CONSTRUCTION PLAN
5	6/18/2017	UPDATE PRE-CONSTRUCTION PLAN
6	7/14/2017	ADD LINE OF SIGHT SHEET

SPECIAL EXCEPTION PLAT - TREE PRESERVATION PLAN
PARCEL B
DRUSILLA Y. CHAUNCEY
SUBDIVISION
D.B. 3379 PG. 60
LEE DISTRICT FAIRFAX COUNTY, VIRGINIA

SCALE: 1" = 30'
DATE: 06-06-2017

DRAWN BY: CSM

CHECKED BY: FKP

COMMONWEALTH OF VIRGINIA
RED KENDALL PRICE
Lic. No. 002837
6-23-17
LAND SURVEYOR


SHEET 3 OF 5



SCALE: 3/32" = 1'-0"

1. THE ARCHITECTURAL SITE PLAN IS FOR GRAPHIC REPRESENTATION OF THE SITE ONLY AND DOES NOT CONSTITUTE AN ACCURATE SURVEYED PLAN.
2. THE ARCHITECTURAL SITE PLAN HAS BEEN PROVIDED TO DESCRIBE THE SCOPE OF WORK FOR BIDDING PURPOSES ONLY. THE ARCHITECT MAKES NO GUARANTEE THAT THE SITE ELEMENTS, GRADES, UTILITIES, ETC AS DEPICTED ARE ACCURATE OR TRUE.
3. THE ARCHITECTURAL SITE PLAN IS NOT AN ENGINEERED DRAWING AND IS INTENDED FOR CONSTRUCTION / INSTALLATION OF ARCHITECTURAL SITE AMENITIES. IN THE EVENT GRADES, SWM, OR OTHER SITE ITEMS ARE REQUIRED TO BE MODIFIED, THE GC SHALL BE SOLELY RESPONSIBLE FOR ALL SAID MODIFICATIONS.
4. THE BUILDING UTILITIES ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY. THE GC SHALL BE RESPONSIBLE FOR THE COORDINATION WITH THE MUNICIPALITY AND THE UTILITY COMPANIES AS WELL AS ANY EXISTING SITE CONDITIONS. THE GC SHALL DETERMINE THE ACTUAL EXTENT OF EXCAVATION AND CONSTRUCTION REQUIRED TO BRING THE NEW SERVICES INTO THE BUILDING.
5. THE GC SHALL FULLY EVALUATE THE EXISTING FIELD CONDITIONS AND ADJACENT LOCATIONS OF EXISTING UTILITIES TO ENSURE A PROPER CONNECTION FROM NEW TO EXISTING.
6. EXISTING PAVING, SIDEWALKS, AND/OR LANDSCAPING AREAS DISTURBED DURING CONSTRUCTION SHALL BE REPAIRED OR REPLACED WHATEVER SPECIFICALLY INDICATED IN THE CONTRACT DOCUMENTS OR NOT.
7. ALL AREAS REPAIRED OR REPLACED SHALL BE DONE IN SUCH A MANNER TO AS TO ENSURE A SMOOTH, CONTINUOUS TRANSITION FROM EXISTING TO NEW. TRANSITIONS FROM EXISTING TO NEW SHALL NOT BE APPARENT WHEN COMPLETE.
8. WHERE CONCRETE SIDEWALKS AND CURBS ARE DEMOLISHED AND REMOVED TO FACILITATE NEW CONSTRUCTION, CONCRETE SHALL BE REMOVED TO THE NEAREST CONSTRUCTION JOINT.
9. DAMAGED PORTIONS OF EXISTING SIDEWALK AROUND THE PERIMETER OF THE BUILDING SHALL BE REMOVED AND REPLACED IN KIND.
10. PROVIDE POSITIVE DRAINAGE FOR ALL WALKWAYS AND PADS PER THE CIVIL PLANS. IF CIVIL PLANS ARE NOT AVAILABLE, THE GC SHALL BE RESPONSIBLE FOR PROVIDING THE REQUIRED SLOPE AT ALL WALKWAYS AND PADS TO ENSURE POSITIVE DRAINAGE.
11. ALL SITE STRIPING AND LOT PAINTING SHALL BE (TP-01) UNLESS SPECIFICALLY KEYED OTHERWISE.

- 25.01 DEMOLISH PORTION OF EXISTING CURB TO FACILITATE NEW CONCRETE PAD FOR NEW HVAC UNITS.
- 3.01 10'-0" x 20'-0" CONCRETE PAD CENTERED ON SPEAKER/SPEAKER POST AND DRIVE THRU WINDOW W/ GROUND 1'00" PER DETAILS. CONCRETE SHALL BE 6" THICK, 3,500 PSI, AIR ENTRAINED W/ 10 GAGE W.W.F., DY BOLD TO MATCH ADJACENT ASPHALT PAVING, OVER 6" MIN. GRAVEL BASE.
- 3.03 SIGN FOOTINGS BY SIGN VENDOR; SEE DETAILS SHEET AS-1.
- 3.06 4" THICK CONCRETE SLAB SHALL BE 3,500 PSI, AIR ENTRAINED, W/ W1.4KW1.4 6X6 W.W.F. OVER 6" GRAVEL FILL.
- 5.02 PROVIDE NEW BOLLARDS AS INDICATED. ALL BOLLARDS WETHER EXIST OR NEW SHALL RECEIVE A NEW ORANGE BOLLARD COVER; SEE DETAIL SHEET AS-2.
- 8.01 NEW DRIVE THRU WINDOW AS MANUFACTURED BY READY ACCESS, MODEL "BUMP-OUT 10". SEE DETAILS AND NATIONAL CONNECTIONS.
- 10.08 NEW AWNING PROVIDED BY VENDOR. GC SHALL PROVIDE BLOCKING AND ELECTRICAL CONNECTIONS AS REQUIRED BY APPROVED AWNING VENDOR SHOP DRAWINGS.
- 10.09 ILLUMINATED DRIVE THRU MENU BOARD AND SPEAKER POST PROVIDED BY SIGN VENDOR. SEE NATIONAL CONNECTIONS AND ELECTRICAL PLANS FOR GC PROVIDED ELECTRICAL AND ROUGH-INS.
- 10.10 DRIVE THRU HEIGHT LIMITATION BAR / CANOPY PROVIDED BY SIGN VENDOR.
- 10.11 DRIVE THRU DIRECTIONAL SIGNS PROVIDED BY SIGN VENDOR. SEE SITE AMENITIES DETAILS AND ELECTRICAL PLANS FOR GC PROVIDED ELECTRICAL AND ROUGH-INS.
- 10.13 DUNKIN DONUTS ILLUMINATED PYLON; SEE DETAIL SHEET AS-2.
- 26.12 NEW DRIVE-THRU CAMERA MOUNTED TO EXTERIOR. SEE EXTERIOR ELEVATIONS & ELECTRICAL PLANS.
- 32.01 "AMERICAN RUNS ON DUNKIN" & START DS-1 PAINT TEMPLATE AVAILABLE FOR DS-1 (SEE NATIONAL CONNECTIONS). AMERICA RUNS ON DUNKIN TO BE PAINTED [PT-04] "START" TO BE PAINTED [PT-05]. USE H & C CONCRETE STAIN, SOLID COLOR WHITE BASE (ULTRA DEEP).
- 32.02 DRIVE THRU ARROW TEMPLATE (LEFT, RIGHT, AND STRAIGHT) AVAILABLE FOR DS-1 (SEE NATIONAL CONNECTIONS). ARROW TO BE PAINTED [PT-04] USE H & C CONCRETE STAIN, SOLID COLOR WATER BASE (ULTRA DEEP).
- 32.04 4" WIDE DRIVE THRU LANE STRIPE TO BE PAINTED [PT-04].
- 32.06 PAINT ALL EXISTING PARKING LOT POLES, HEADS & BASES [PT-12], TYPE SEE EXTERIOR FINISH MATERIAL SCHEDULE SHEET A-4. RE-LAMP LIGHT FIXTURES.
- 32.07 PROVIDE CONCRETE PAD & FENCE AROUND DUMPSTER. FENCE TO BE PT 1x4 SLATS, STOCKADE FENCING. SEE DETAIL SHEET A-1.
- 32.08 PROVIDE "EXIT ONLY" SIGNS. SIGNS SHALL COMPLY WITH VDOT SIGN STANDARDS AND MUTCD.



I CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME, AND I AM A
LICENSED ARCHITECT UNDER THE LAWS OF
THE COMMONWEALTH OF VIRGINIA.
LICENSE No. 009209, EXPIRATION DATE 01.18.18



dunkin'
brands.

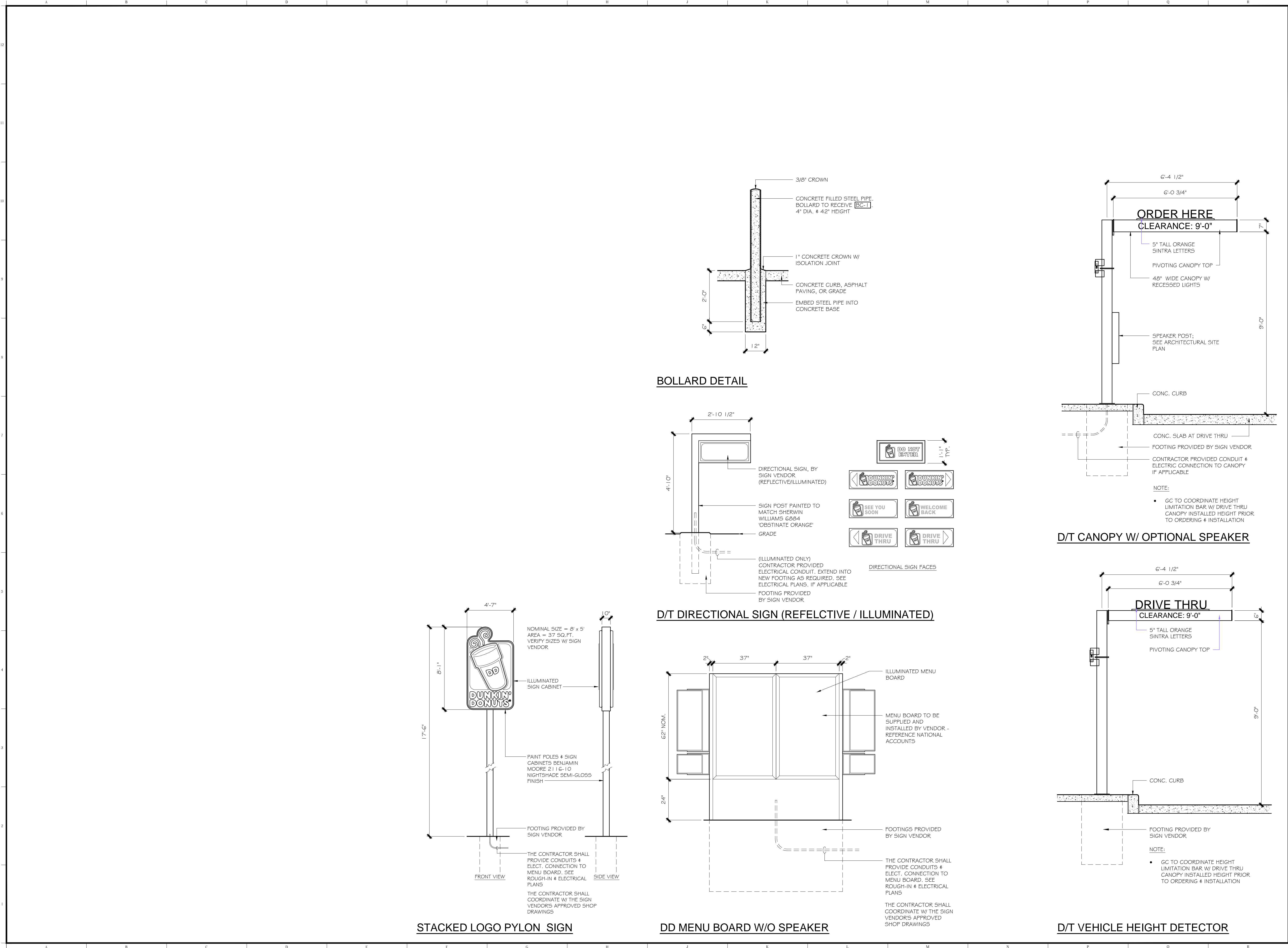
STORE #356044
TELEGRAPH ROAD
ALEXANDRIA, VA

REVISION		
No.	DATE	DESCRIPTION
DWG DATE:	07-13-2016	
DRAWN BY:	STAFF	
PROJECT No.:	1G052	
DWG TITLE:		

ARCHITECTURAL
SITE PLAN

SHEET No.

AS-1



STACKED LOGO PYLON SIGN

DD MENU BOARD W/O SPEAKER

D/T VEHICLE HEIGHT DETECTOR

J. Mayer

ARCHITECTS, LLC

2553 Housley Road, Annapolis, MD 21401

(410) 266-9560 Fax: (410) 266-9561

I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE COMMONWEALTH OF VIRGINIA. LICENSE No. 009209, EXPIRATION DATE 01.18.18

DUNKIN' DONUTS

dunkin' brand.

STORE #356044

TELEGRAPH ROAD

ALEXANDRIA, VA

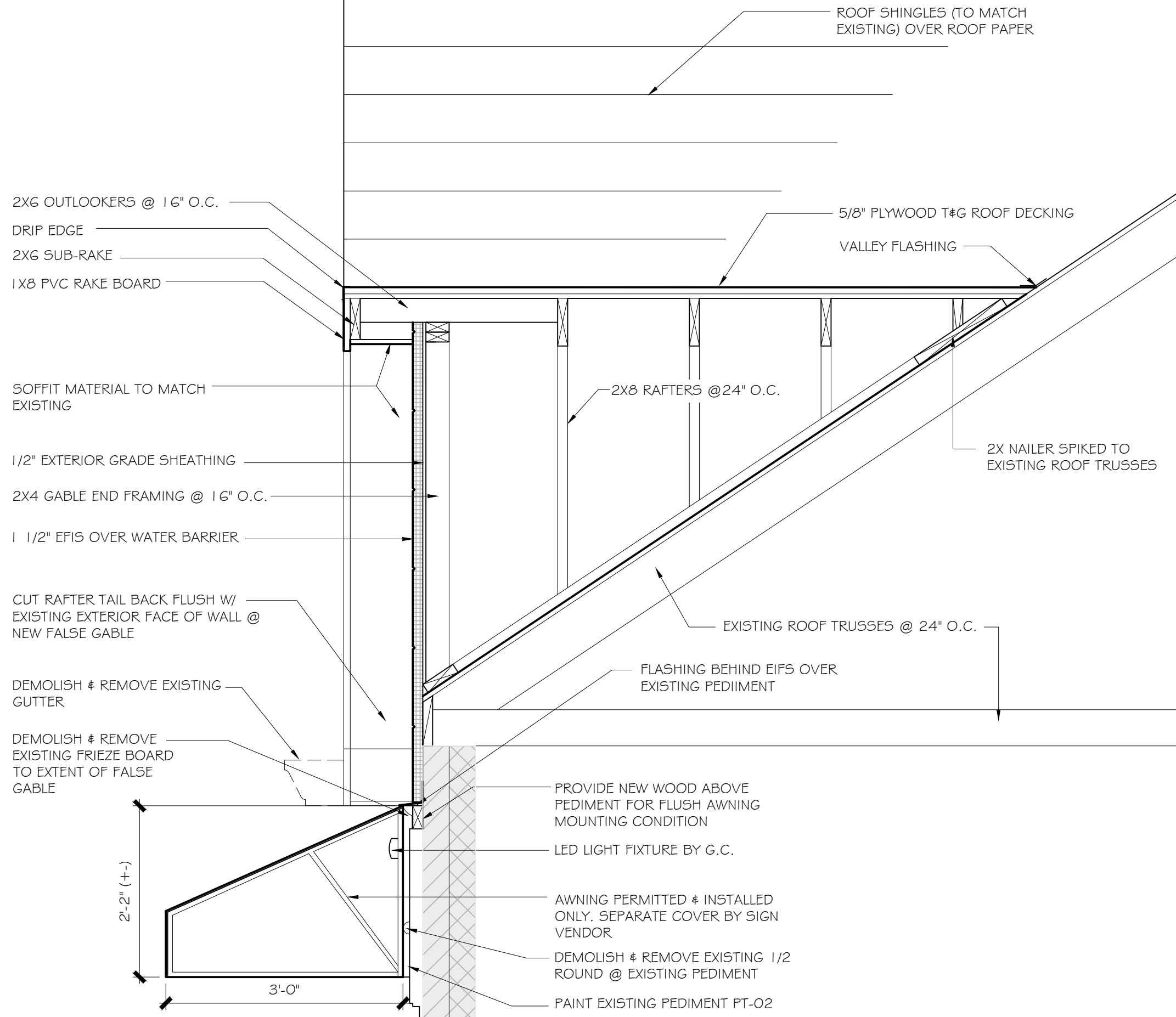
REVISION		
No.	DATE	DESCRIPTION

DWG DATE: 07-13-2016
DRAWN BY: STAFF
PROJECT No.: 16052
DWG TITLE:

ARCHITECTURAL SITE DETAILS

SHEET No.

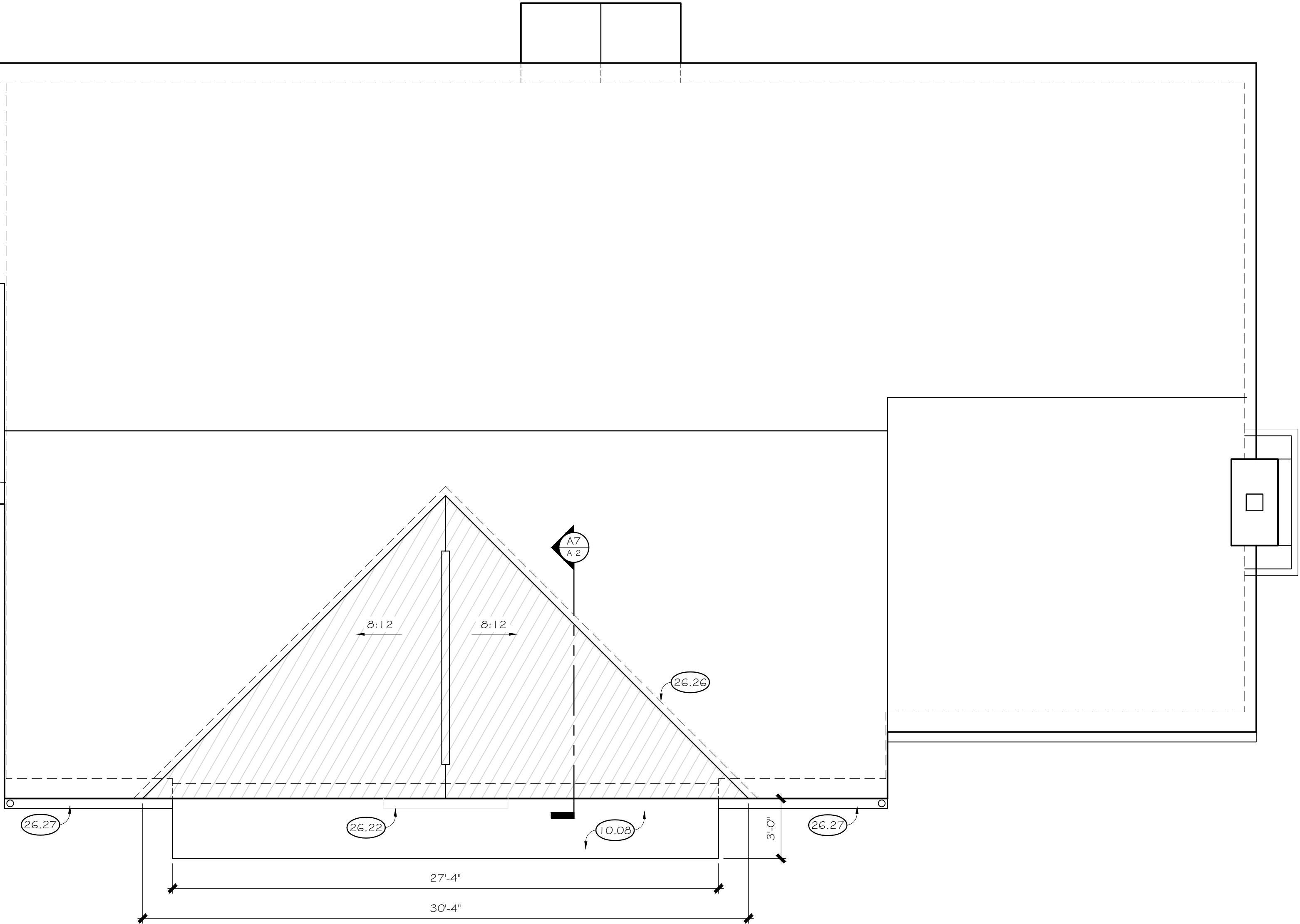
AS-2



A7 SECTION @ FALSE GABLE

SCALE: 3/4" = 1'-0"

G1 ROOF PLAN



SCALE: 1/4" = 1'-0"

ROOF PLAN KEY NOTES: (0.0)

- 10.08 NEW AWNING PROVIDED BY VENDOR. GC SHALL PROVIDE BLOCKING AND ELECTRICAL CONNECTIONS AS REQUIRED BY APPROVED AWNING VENDORS SHOP DRAWINGS.
- 26.22 DD SIGNAGE BY SIGN VENDOR, PERMITTED & INSTALLED UNDER SEPARATE COVER & PERMIT. GC SHALL PROVIDE BLOCKING & ELECTRICAL CONNECTION IN ACCORDANCE WITH APPROVED SIGN SHOP DRAWINGS & ELECTRICAL PLANS.
- 26.26 PROVIDE NEW VALLEY FLASHING @ NEW FALSE GABLE
- 26.27 PROVIDE NEW GUTTER / MODIFY EXISTING AS NECESSARY FOR NEW FALSE GABLE, EACH SIDE.

GENERAL ROOF PLAN NOTES:

1. PROVIDE NEW R-40 BATT INSULATION BETWEEN EXISTING BOTTOM CORD OF ROOF TRUSSES.

J.Mayer
ARCHITECTS, LLC
2553 Housley Road, Annapolis, MD 21401
(410) 266-9560 Fax: (410) 266-9561

I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE COMMONWEALTH OF VIRGINIA. LICENSE No. 009209, EXPIRATION DATE 01.18.18



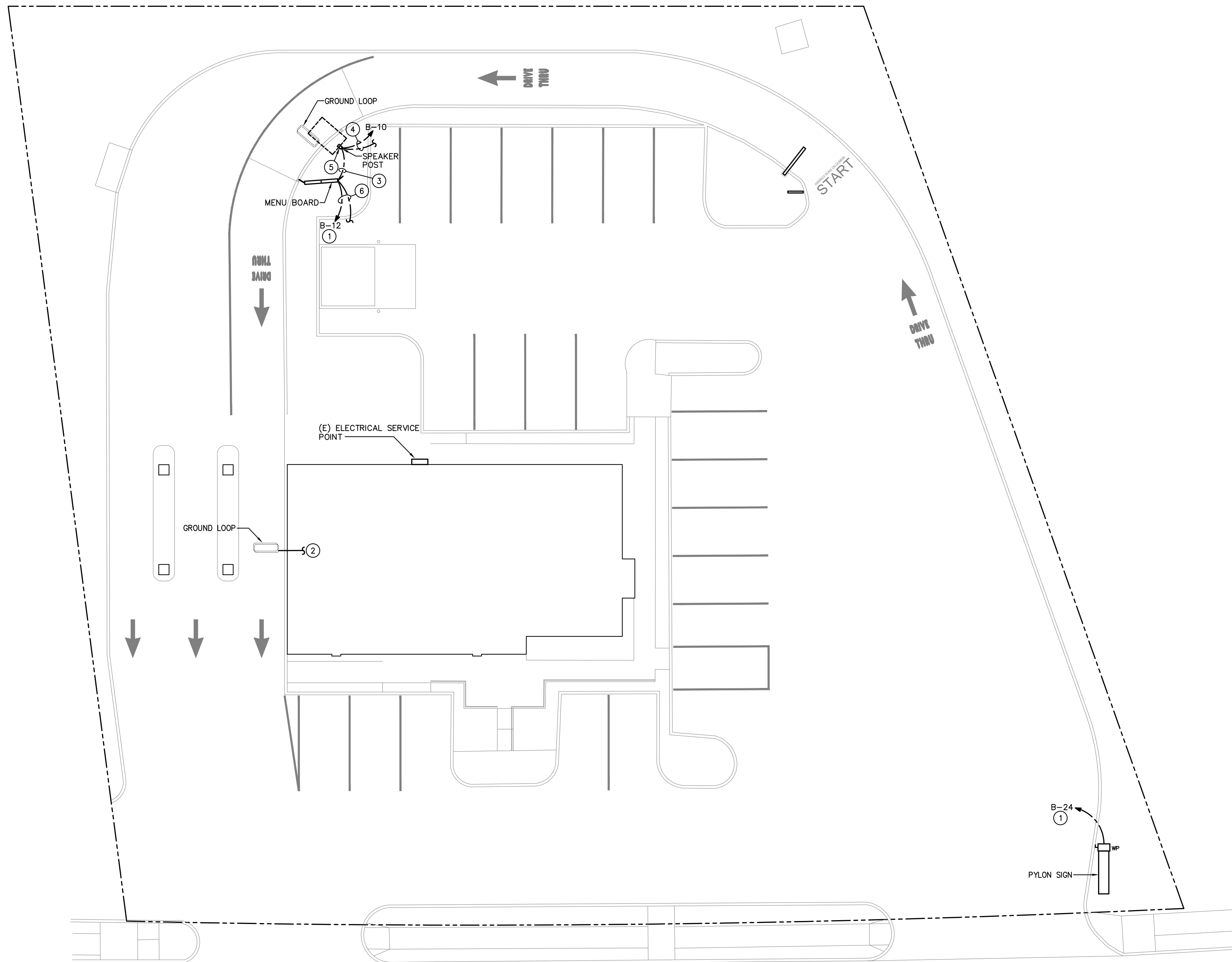
dunkin'
brand.
STORE #356044
TELEGRAPH ROAD
ALEXANDRIA, VA

REVISION		
No.	DATE	DESCRIPTION
DWG DATE:		07-13-2016
DRAWN BY:		STAFF
PROJECT No.:		16052
DWG TITLE:		

ROOF
PLAN

SHEET No.

A-2



SCALE: $3/32"=1'-0"$

DESCRIPTION OF THE APPLICATION

The applicant, DVA Telegraph – 7710, LLC, requests special exception (SE) approval to permit a fast food establishment with drive-through, currently proposed as a Dunkin' Donuts, on the subject property located at 7710 Telegraph Road in Alexandria. The 30,683 square foot subject site is zoned C-5 and developed with a 2,151 square foot drive-through financial institution that is vacant. Fast food restaurants with an automobile-oriented use are permitted with special exception approval in the C-5 District.

The hours of operation are proposed to be 5:00 AM to 9:00 PM, seven days a week. The seating capacity will be 22 patrons, and there will be a total of 15 employees. It is estimated that an average of 500 patrons will visit the establishment daily.

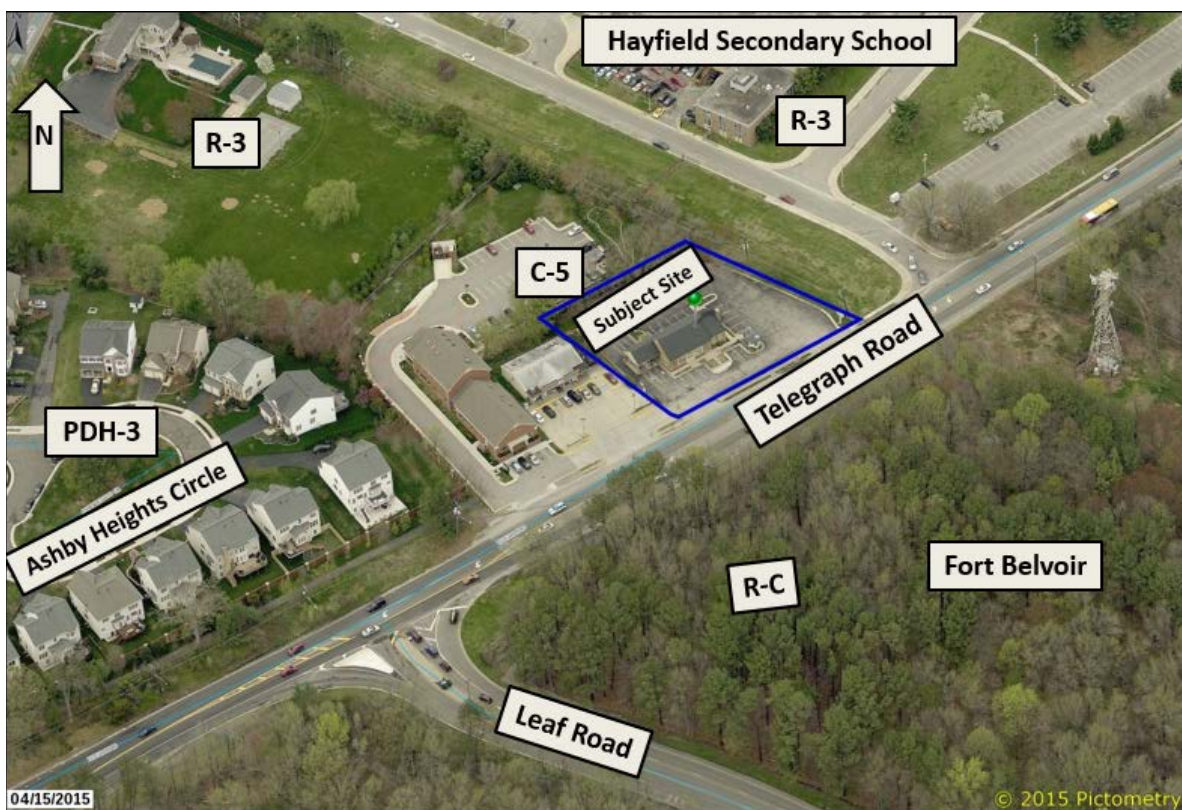


Figure 1: Subject Property and Surrounding Area, Source: Fairfax County Pictometry

A reduced copy of the submitted SE Plat is included at the front of this report. Copies of the proposed development conditions, the applicant's statement of justification and the affidavit are included in Appendices 1, 2 and 3, respectively.

LOCATION AND CHARACTER

As depicted in Figure 1, the subject property is located on the northern side of Telegraph Road, just west of Hayfield Secondary School. The subject property is an

existing pad site with a vacant drive-through financial institution and is zoned C-5. To the north and northeast of the subject property is a power transmission easement and the Hayfield Secondary School, both of which are zoned R-3. Located to the south and southeast of the subject property across Telegraph Road is the Fort Belvoir Military Reservation zoned R-C. Adjoining the property to the west and zoned C-5 are commercial properties consisting of a 7-11 convenience store and the Hayfield Animal Hospital. Further to the west with access off of Old Telegraph Road, is a single-family detached residential development zoned PDH-3.

BACKGROUND

Under a Board's own motion as part of RZ 75-4-002, the subject property was zoned to the C-5 District, on June 23, 1975. On February 5, 1973, a building permit was issued for the construction of a free-standing one-story financial institution with a drive-through teller window, lanes and canopy, and a surface parking lot. Fairfax County records indicate that As-Built Site Plan # 592 was approved on May 22, 1975 for the bank on the subject property. Based on County records, the financial institution with drive-through was developed in accordance with all applicable Fairfax County zoning regulations in effect at the time of development.

The structure is currently vacant and owned by Telegraph Centre LLC. The applicant, DVA Telegraph – 7710, LLC, is seeking special exception approval to adaptively reuse the vacant bank building for a Dunkin' Donuts fast food restaurant with a drive-through.

COMPREHENSIVE PLAN PROVISIONS

Plan Area:	Area IV
Planning District:	Rose Hill Planning District
Planning Sector:	RH4-Lehigh Community Planning Sector
Plan Map:	Alternative Uses

Fairfax County Comprehensive Plan, 2013 Edition, Area IV, Rose Hill Planning District, as amended through March 14, 2017, RH4-Lehigh Community Planning Sector, on Page 69, as applied to the application area, states the following:

55. The corner area between Telegraph Road and Old Telegraph Road (TM 100-1((4)) 1, 100-1((2))1, 2 & 3, 100-1((9))A, 1 & 2 and 100-2((1))1, 1A & 1B) is planned at 2-3 dwelling units per acre. Any development in this area should be at the low end of the Plan range, unless significant consolidation is achieved and access is unified and oriented to Old Telegraph Road. Parcels 100-2((1))1, 1A & 1B

are currently developed as retail and other uses under the current zoning. These uses are appropriate at an intensity of up to .20 FAR.

Fairfax County Comprehensive Plan, 2013 Edition, Policy Plan, Environment, as amended through March 14, 2017, pages 19-21, state:

Objective 13: *Design and construct buildings and associated landscapes to use energy and water resources efficiently and to minimize short- and long-term negative impacts on the environment and building occupants.*

Policy a. *In consideration of other Policy Plan objectives, encourage the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment projects. These practices may include, but are not limited to:*

...

- *Reuse of existing building materials for redevelopment projects;...*
- *Reuse, preservation and conservation of existing buildings, including historic structures; ...*

Appendix 5: Guidelines for Drive-Thru Windows and Other Drive-Thru Facilities

Drive-thru windows for commercial establishments and other drive-thru facilities have the potential to cause serious on-site and off-site traffic circulation problems. To address these potential problems, drive-thru windows and other drive-thru facilities should be approved only if the size and configuration of the lot are adequate to achieve a safe drive-thru facility, parking circulation and pedestrian system. All activity generated by the use must be accommodated on the site. Noise, glare and other nuisance aspects related to drive-thru facilities must not adversely affect adjacent properties.

SPECIAL EXCEPTION PLAT DESCRIPTION

The Special Exception Plat (SE Plat) is comprised of five sheets entitled "Special Exception Plat," prepared by LS₂ PC and dated January 12, 2017, as revised through July 4, 2017, and six sheets entitled "dunkin' brands, Store #356044, Telegraph Road," prepared by J. Mayer Architects, LLC and dated July 13, 2016. This SE Plat is reviewed below and a reduced copy is located at the front of the staff report.

Proposal

The proposal consists of converting and remodeling the existing 2,151 square foot building into a Dunkin' Donuts fast food restaurant. There will be no changes to the existing building other than the addition of an entrance canopy, lighting and signage. In addition, a new drive-through speaker area with canopy and menu board, a fenced dumpster area, a concrete pad at the rear of the building, new curbing and a sign pylon will be added to the site.

As shown in Figure 2, access to the site is provided off of Telegraph Road. Nineteen parking spaces are proposed for both employee and customer parking with an additional 11 stacking spaces for the drive-through.

The fast food restaurant will serve baked goods and beverages and have a drive-through window for customer pick-up. The seating capacity of Dunkin' Donuts is proposed to be 22 patrons. The proposed use will have 15 employees.

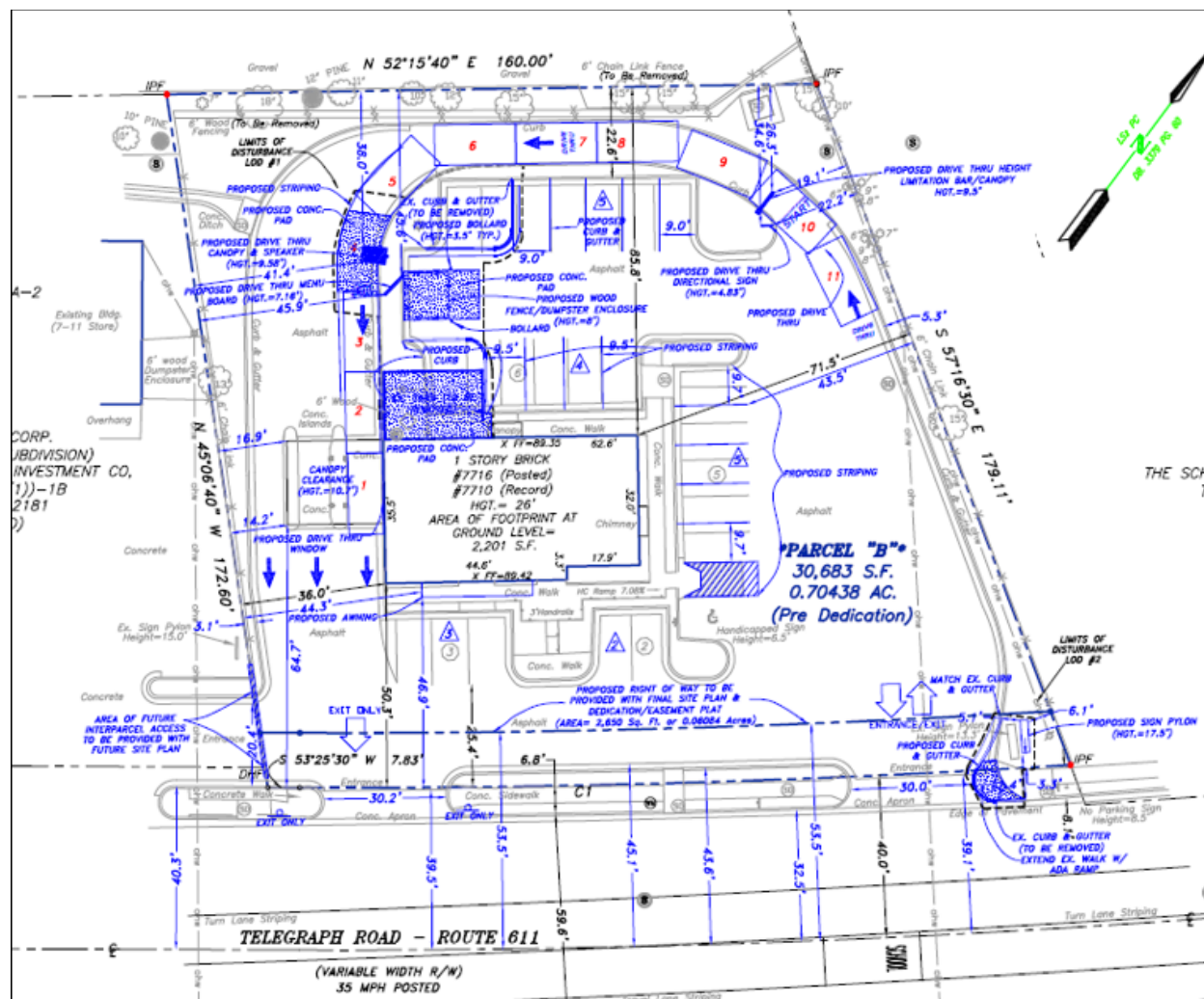


Figure 2: Site Layout, Source: SE Plat, Sheet 2

Landscaping and Open Space

The Landscape Plan (Sheet 3A) shows the existing trees and proposed landscaping. The applicant proposes to remove the existing invasive Black Locusts and other trees in poor quality and to replant the area with native understory trees. Additional landscaping will be provided in the parking islands and in the northwestern corner of the property. Transitional screening and barriers are not required for this development.

Architecture and Design

The new use will be completely within the existing brick building and there will be no increase to the building's dimensions or height. The only exterior building modifications will be to add an entrance awning, lighting and signage. Figure 3 shows the proposed modifications.

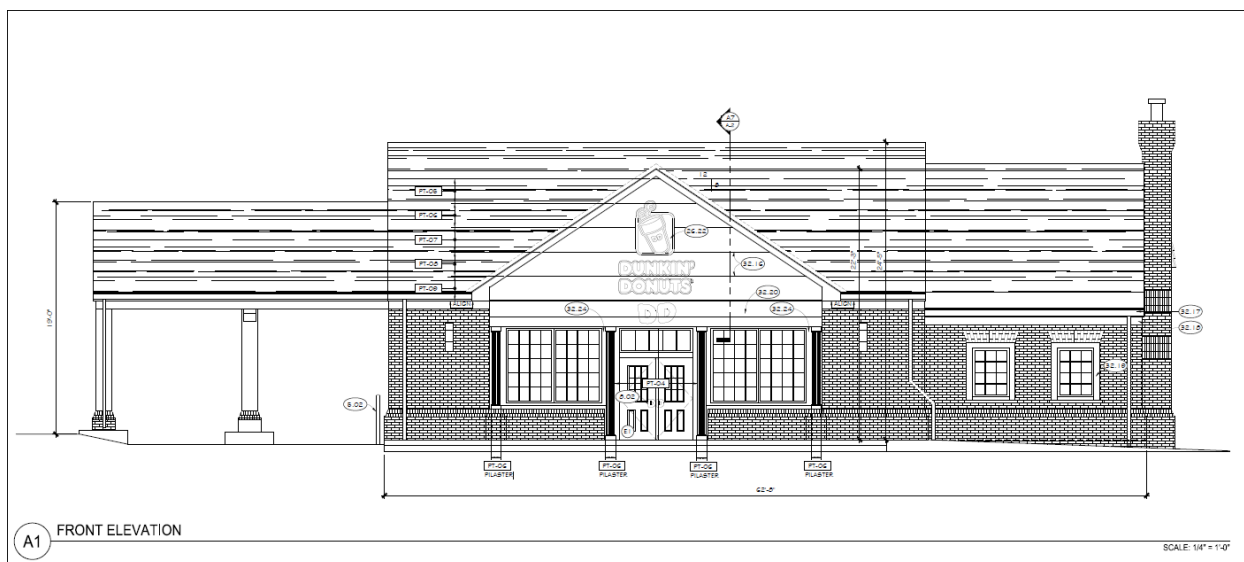


Figure 3: Architectural Elevation, Source: SE Plat, Sheet A-6

ANALYSIS

Land Use Analysis (Appendix 4)

The land use planning objectives for the Lehigh Community Planning Sector state that this parcel is *“currently developed as retail or other uses under the current zoning and these uses are appropriate at an intensity of up to .20 FAR.”* The applicant is seeking to reuse the existing one-story building for a Dunkin’ Donuts fast food restaurant with a drive-through window. There is no proposed increase to the building’s square footage or height, and no exterior building modifications are proposed other than an entrance awning, lighting, and signage. A new drive-through speaker area with a canopy and menu board, a fenced dumpster area, a concrete pad at the rear of the building, new

curbing and a sign pylon would be added to the site. The Plan states that the site is appropriate for retail use at an intensity of up to .20 FAR. The proposed commercial development at a proposed intensity of .07 FAR is consistent with the Plan's guidance regarding use and intensity. Staff believes that the proposal for a fast food restaurant on the subject site is in harmony with the adopted Plan guidance for the site.

Transportation Analysis

Included as Appendix 5, are the transportation analysis memoranda from Fairfax County Department of Transportation (FCDOT) dated June 15, 2017 and the Virginia Department of Transportation (VDOT) dated June 14, 2017. The County's Comprehensive Plan recommends that Telegraph Road be improved as a four-lane divided roadway with a major paved trail. Additionally, the Bicycle Master Plan recommends on-road bike lanes along Telegraph Road. The existing two-lane portion of Telegraph Road, including the segment abutting to the application property experiences congestion in the morning and evening peak hours as well as operational issues. At the request of the applicant, staff has agreed to reduce the requested cross section to 53.5 feet from the centerline to satisfy the Comprehensive Plan recommendation. Initially, the applicant only provided a dedication of 42.5 feet. However, the most recently revised SE Plat dated July 4, 2017, depicts the requested dedication of 53.5 feet.

Right-Turn Lane and Line of Sight

Based on the trip generation analysis, the proposed use would generate 113 AM peak hour inbound trips during the adjacent street's peak hour. The applicant's analysis shows that a full width right turn lane (no taper) would be required for the proposed Dunkin' Donuts. The applicant is requesting a waiver of the required right turn lane from the Virginia Department of Transportation (VDOT) because: 1) no other property within 2,000 feet north of the site has an exclusive right turn lane; and 2) the site does not have sufficient frontage to provide a standard full width right turn lane. The applicant has submitted a design waiver for the right turn taper and an Access Management Exception Request to VDOT. They are currently under review and a development condition has been included to ensure the issue is resolved.

As a portion of the sight distance line is located outside of the right-of-way, an off-site easement along the frontage of Hayfield Secondary School would also be required. A development condition is included that requires the applicant obtain a sight distance easement or a waiver of the requirement from VDOT.

Driveway Widths

In an effort to reduce vehicular conflicts with the proposed drive-through, the applicant has agreed to reduce the northern entrance to the commercial standard of 30 feet by installing new curb and gutter and extending the existing sidewalk with ADA ramp. The applicant also proposes to install signage designating the southern access as egress-only. Staff is concerned that signage would not be sufficient to preclude such turns

without daily police enforcement. Staff finds that the only way to preclude ingress at the site's southern access is to physically narrow the existing 30-foot wide two-way entrance to 16 to 20 feet for a one-way access as recommended in VDOT's Access Management Design Standards for Entrances and Intersections. As such, staff recommends a development condition which will require that the entrance width be narrowed to 16 feet either by extending the curb and gutter at the entrance or using large planter boxes to effectively reduce the width of the driveway. These measures should be installed prior to the issuance of a Non-RUP.

Inter-Parcel Access

The applicant has agreed to a right-of-way dedication of the requested 53.5 feet from the centerline in order to satisfy the Comprehensive Plan recommendation. At the time of the road widening, the existing inter-parcel access with the 7-11 property to the west will be eliminated. The applicant has shown the area of future inter-parcel access in relatively the same location. If this location is impracticable once the road widening occurs, staff would suggest that an alternative location for inter-parcel access be provided.

Urban Forestry Analysis (Appendix 6)

Staff from the Urban Forest Management Division (UFMD) reviewed the application. UFMD initially identified concerns with the proposal, including conformance with the 10-year tree canopy and tree preservation requirements. An additional concern was raised during the review process, due to the submittal of a landscape plan that showed a majority of the trees being removed. The applicant has since realized that the submitted landscape plan showing the tree removal was wrong and has since corrected these errors with the SE Plat dated June 16, 2017 and provided to the County on June 26, 2017. The 10-year canopy and tree preservation targets will be met with the implementation of the proposed landscape plan.

ZONING ORDINANCE PROVISIONS (See Appendix 7)

General Special Exception Standards (Sect. 9-006)

All special exception uses shall satisfy the following general standards:

General Standards 1 and 2 requires that the proposed use at the specified location “*be in harmony with the adopted Comprehensive Plan*” and “*with the general purpose and intent of the applicable zoning district regulations*”. Staff finds that the proposed fast food restaurant with drive-through will be in harmony with the Comprehensive Plan and the purpose and intent of the C-5 District, which supports retail commercial uses that have a neighborhood-oriented market. Staff believes that the drive-through fast food restaurant will not negatively affect the existing surrounding uses in the area.

General Standard 3 states that the proposed use shall *“be harmonious with and not adversely affect the use or development of neighboring properties”*. This standard also requires that *“the location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof”*. The proposed reuse of the former financial institution with drive-through as a fast food restaurant with a drive-through is not anticipated to create adverse impacts on the surrounding properties. This commercial development is consistent with the types of neighboring uses, and it will utilize a currently vacant structure. This application is also consistent with the Policy Plan Green Energy Policy, which encourages adaptive reuse. Staff believes that the proposed plan, subject to the proposed development conditions, would meet this standard.

General Standard 4 requires *“that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing or anticipated traffic”*. There is an existing sidewalk along Telegraph Road. Additionally, in an effort to reduce vehicular conflicts with the proposed drive-through, the applicant has agreed to reduce the northern entrance to the commercial standard of 30 feet by installing new curb and gutter and extending the existing sidewalk with ADA ramp. The applicant also proposes to install signage designating the southern access as egress-only. Staff finds that the only way to preclude ingress at the site’s southern access is to physically narrow the existing 30-foot wide two-way entrance to 16 to 20 feet for a one-way access as recommended in VDOT’s Access Management Design Standards for Entrances and Intersections. As such, staff has concluded that the proposed plan meets this standard if the entrance width is narrowed to 16 feet either by extending the curb and gutter at the entrance or using large planter boxes to effectively reduce the width of the driveway.

General Standard 5 stipulates that *“the Board shall require landscaping and screening in accordance with the provisions of Article 13”*. The applicant proposes to remove invasive and poor quality and replant the area with native understory trees. A development condition regarding the implementation of the landscape plan has been included.

General Standard 6 stipulates that *“open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located”*. The C-5 zoning district requires 20 percent of the site to be open space. The proposal provides 20.4 percent or 6,248 square feet of open space, which meets the requirement. As such, staff finds this standard met.

General Standard 7 states that *“adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11”*. The site proposes 19 parking spaces, which satisfies the requirement. Eleven stacking spaces for the drive-through are adequately accommodated on the subject site. All utilities are currently in place and modifications are not proposed.

General Standard 8 specifies that “signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance”. All signage will be in conformance with the Zoning Ordinance regulations.

Standards for All Category 5 Uses (Sect. 9-503)

This application is also subject to the three additional standards for all Category 5 special exception uses, which require conformance with the lot size and bulk regulations of the Zoning Ordinance, the performance standards specified in the applicable zoning district, and Article 17 of the Zoning Ordinance, which concerns site plans. With the imposition of the proposed development conditions, staff believes that these standards would be met.

TABLE 1 – BULK STANDARDS FOR C-5 ZONING		
Standard	Required	Provided
Lot Size	40,000 square feet minimum	Pre ROW Dedication 36,590 square feet ¹ Post ROW Dedication 28,033 square feet ¹
Lot Width	200 foot minimum	196 feet ¹
Building Height	40 feet maximum	24.5 feet
Front Yard	Controlled by a 45° angle of bulk plane, but not less than 40 feet	46.9 feet ²
Rear Yard	20 foot minimum	85.8 feet
Side Yard	None required	N/A
Floor Area Ratio	0.30 maximum	0.07
Landscaped Open Space	20% of the gross area	20.4%

¹ Sect. 2-405 of the Zoning Ordinance permits lots that were recorded prior to the effective date of the Zoning Ordinance that met the requirements of the Zoning Ordinance in effect at the time of recordation to be used for any use permitted in the zoning district in which located even though the lot does not meet the minimum district size or width requirements of the district. Tax records show that the commercial structure was built in 1973, which predates the adoption of the current zoning ordinance.

² Sect. 2-420 of the Zoning Ordinance states that the dedication of land to the Virginia Department of Transportation shall not affect the applicable minimum yard requirements. The minimum yard shall be established from the lot line as it existed prior to such dedication, except in no instance shall a building be erected closer than 15 feet from the nearest street line.

Additional Standards for Automobile-Oriented Uses, Car Washes, Drive-In Financial Institutions, Drive-Through Pharmacies, Fast Food Restaurants, Quick-Service Food Stores, Service Stations and Service Stations/Mini-Marts (Sect. 9-505)

Fast food restaurants, when permitted by special exception, must also satisfy the following additional standards:

Standard A stipulates that *“such a use shall have on all sides the same architectural features or shall be architecturally compatible with the building group or neighborhood with which it is associated”*. The existing brick building is architecturally compatible with the adjacent development. The exterior building modifications proposed are to add an entrance awning, lighting and signage, which are minor and do not alter the building’s architectural compatibility. Staff finds this standard to be met.

Standard B states that the use *“shall be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties”*. There is an existing sidewalk along Telegraph Road. As discussed previously, in an effort to reduce vehicular conflicts with the proposed drive-through, the applicant has agreed to reduce the northern entrance to the commercial standard of 30 feet by installing new curb and gutter and extending the existing sidewalk with ADA ramp. The applicant also proposes to install signage designating the southern access as egress-only. Staff finds that the only way to preclude ingress at the site’s southern access is to physically narrow the existing 30-foot wide two-way entrance to 16 to 20 feet for a one-way access as recommended in VDOT’s Access Management Design Standards for Entrances and Intersections. As such, staff has concluded that the proposed plan meets this standard if the entrance width is narrowed to 16 feet either by extending the curb and gutter at the entrance or using large planter boxes to effectively reduce the width of the driveway.

Standard C specifies that *“the site shall be designed to minimize the potential for turning movement conflicts and to facilitate safe and efficient on-site circulation”*, and that *“parking and stacking spaces shall be located in such a manner as to facilitate safe and convenient vehicle and pedestrian access to all uses on the site”*. Circulation patterns, parking and stacking are clearly delineated on the Special Exception Plat. The location of the drive-through window creates minimal vehicular conflict. Staff asserts that the proposal meets this standard.

Standard D states that *“the lot must be of sufficient area and width to accommodate the use and that any such use will not adversely affect any nearby existing or planned residential areas as a result of the hours of operation, noise generation, parking, glare or other operational factors”*. Although the lot area and lot width are less than optimum for the C-5 District, the applicant has demonstrated that the layout provides enough space to accommodate the operation for the fast food restaurant with sufficient room for queuing vehicles. There are no proposed changes to the building footprint and the required stacking and parking spaces are provided. Additionally, the adjacent 7-11 convenience store and Hayfield Animal Hospital creates a buffer between this property

and the nearby residential areas to the west. Staff believes that there will be no adverse effects on existing or planned residential areas and that this standard has been met.

Standard E applies to drive-through pharmacies; therefore, this standard is not applicable to this application.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusion

Staff concludes that the subject application is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions with the implementation of the proposed development conditions contained in Appendix 1.

Staff Recommendation

Staff recommends approval of SE 2017-LE-006, subject to the approval of the proposed development conditions contained in Appendix 1 of the staff report.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

APPENDICES

1. Proposed Development Conditions
2. Statement of Justification
3. Affidavit
4. Land Use Memorandum
5. Transportation Memorandums
6. Urban Forest Management Memorandum
7. Zoning Ordinance Provisions
8. Glossary of Terms

PROPOSED DEVELOPMENT CONDITIONS**SE 2017-LE-006****July 5, 2017**

If it is the intent of the Board of Supervisors to approve SE 2017-LE-006, located at 7710 Richmond Highway, Tax Map 100-2 ((1)) 1A, for use as a fast food restaurant with a drive-through pursuant to Section 9-505 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose, structure and/or use indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved Special Exception Plat (SE Plat) comprised of five sheets entitled "Special Exception Plat," prepared by LS₂ PC and dated January 12, 2017 as revised through July 4, 2017 and six sheets entitled "dunkin' brands, Store #356044, Telegraph Road, prepared by J. Mayer Architects, LLC and dated July 13, 2016, and these conditions. Minor modifications to the approved Special Exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. A copy of the Special Exception and the Non-Residential Use Permit (Non-RUP) shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
5. Prior to the issuance of the Non-RUP, the applicant shall provide proof of the 53.5 foot right-of-way dedication in fee simple to the Fairfax County Board of Supervisors from the existing centerline of Telegraph Road as depicted on the SE Plat. The proof of said dedication shall be provided to the Fairfax County Department of Transportation (FCDOT). The Non-RUP shall not be issued until FCDOT has provided a written letter stating that this development condition has been satisfied.
6. Prior to the issuance of the Non-RUP, it shall be demonstrated that the Access Management Exception and Design Waiver requests have been approved by the Virginia Department of Transportation (VDOT).
7. Prior to the issuance of the Non-RUP, landscaping shall be provided as illustrated on the Landscape Plan, Sheet 3A of the SE Plat. All landscaping shall be maintained in good condition and/or replaced, as needed, for the life of the SE.

8. Prior to the issuance of the Non-RUP, the southernmost entrance to the site on Telegraph Road shall be physically narrowed to 16 to 20 feet in width as measured at the throat for one-way egress as recommended in VDOT's Access Management Design Standards for Entrances and Intersections.
9. Prior to the issuance of the Non-RUP, VDOT shall confirm the adequacy of sight distance as the site's northernmost driveway on Telegraph Road.
10. The fast food restaurant owner/operator shall be responsible for daily removal of litter on the subject property.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, 30 months after the date of approval unless, at a minimum, the use has been established or construction has commenced and been diligently prosecuted as evidenced by the issuance of a Non-Residential Use Permit for the fast food restaurant with a drive-thru. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

Statement of JustificationRECEIVED
Department of Planning & Zoning

FEB 15 2017

Zoning Evaluation Division

Applicant: DVA Telegraph – 7710, LLC
(the “Applicant”)
Site Name: Dunkin’ Donuts Telegraph
Property Address: 7710 Telegraph Road, Alexandria, Virginia 22315
(the “Property”)
Supervisor District: Lee
Parcel ID No: 1002 01 0001A
Zoning Classification: Commercial C-5
Property Owner: Telegraph Centre, LLC.

The Applicant, DVA Telegraph – 7710, LLC, requests a Category 5 Special Exception to allow for the construction and operation of a fast food restaurant under the Dunkin’ Donuts name. The use will be in an existing one story free-standing brick commercial building that is currently vacant and consists of 2,151-square feet of space. The proposed use for the vacant space is a Dunkin’ Donuts operation with the on or off premise manufacture and sale of baked goods and beverages and a drive-through window for customer pick-up. The new use will be totally within the existing building space and there will be no increase to the building’s dimensions or height, no exterior building modifications other than an entrance awning, lighting, and signage. A new drive thru speaker area with canopy, a fenced dumpster area, a concrete pad at the rear of the building, new curbing and a sign pylon will be added to the site. There will be no changes to driveways, or points of access/egress from Telegraph Road. The total limits of disturbance for the proposed use is 2,473.9 square feet and is delineated and described on the Zoning Drawings, “Proposed Conditions”.

Current Improvements on and Description of Subject Property

The subject Property totals approximately 0.70 acres (30,683-square feet), is zoned C-5 and fronts and is accessed from Telegraph Road. The property is surrounded by non-residential uses. To the south - southeast of the property across Telegraph Road is the Fort Belvoir Military Reservation zoned Residential Conservation (R-C). Immediately to the north of the property is a major power transmission easement on the property of the Hayfield Intermediate and High School as well as the school buildings and facilities. Adjoining the property to the immediate west is property zoned C-5 used for a parking area associated with a commercial use zoned C-5 fronting Telegraph Road. Immediately to the south - southwest of the property is a convenience food store also zoned C-5. Further to the southwest, properties along Telegraph Road are zoned C-5 and PDH-3.

The Property is owned by the Telegraph Centre LLC and currently improved with a vacant one-story brick commercial structure formerly occupied by a financial institution with a drive-thru teller window, lanes and canopy and associated customer and employee parking areas. The

parcel was originally zoned C-5 under the Board's own motion as part of RZ 75-4-002 on June 12, 1975.

Under this proposed application, there will be no exterior changes to the existing building other than the addition of an entrance canopy, lighting and signage. The project is primarily limited to the conversion and remodeling of existing and vacant interior space formerly used for the financial institution use to accommodate the Dunkin' Donuts operation.

Statement Describing the Proposed Use

The following section corresponds to the requirements contained in the Special Exception Application Information package and pursuant to Section 9-011, Paragraph 7, of the Fairfax County Zoning Ordinance, and fully describes the proposed use:

Type of operation.

The property is currently developed with a one-story brick building with 2,151-square feet of space. The area surrounding the building is paved and provides 22 parking spaces for customers and employees, a drive-through window, drive-through driveway and canopy, and an area for a screened trash dumpster. A chain link fence separates the property with the public school property to the north. There is inter-parcel between the property with an existing convenience food store to the immediate south – southeast.

The applicant requests a Special Exception to permit the construction of a retail fast food restaurant with a drive-through window operating as a Dunkin' Donuts for the sale from the premises at wholesale and retail of donuts, bagels, pastries, bakery products, smoothies, soda fountain items, snacks, confectionary products, frozen desserts, soups, sandwiches, coffee, non-alcoholic beverages, and related items for consumption on and off premises. DVA Telegraph – 7710, LLC will enter into a lease agreement with the Property Owner to construct and operate the fast food restaurant. Details of the lay-out and operation of the use are provided with the Zoning Drawings included in the application package.

Hours of operation.

The proposed use will operate from 5:00 AM to 9:00 PM seven days per week.

Estimated number of patrons, clients, patients, pupils, etc.

It is estimated that average of 500 patrons will visit the store daily.

Proposed number of employees, attendants, teachers, etc.

The proposed use will have 15 employees.

Estimate of the traffic impact of the proposed use.

The fast food restaurant will have an average of 500 customers per day and 15 total employees generating approximately 500 trips per day to and from the site. The property fronts and is accessed from Telegraph Road by two points of access/egress. There is inter-parcel connection with a convenience store also zoned C-5 located immediately to the southwest. Telegraph Road is an existing two lane highway with shoulders with a posted speed limit of 35 miles per hour in front of the property.

Vicinity or general area to be served by the proposed use.

The use will have a general service area of one mile in radius and will serve traffic using the Telegraph Road corridor.

Description of the building façade and architecture of proposed new buildings and addition

The use will be entirely located in an existing freestanding one story colonial style red brick structure with an “A” frame roof. The building has a 24 feet 5 inch tall main section, a lower wing 22 feet 8 inches tall setback from the front on the north side of the main building, and a 19 feet tall canopy covering the drive thru window on the south side of the building. There will be no additions to the existing building and no new buildings on the property. The front and rear building exterior elevations are shown on the Zoning Drawings, Sheet A-6. The building’s two side elevations are shown on Zoning Drawing A-7.

Listing, if known, of all hazardous or toxic substances to be generated, utilized stored, treated and/disposed of on-site and the size and contents of any existing or proposed storage tanks or containers.

There are no known hazardous chemicals or disposal units associated with the use.

A statement that the proposed use conforms to the provisions of all applicable ordinances, regulations, adopted standards and any applicable conditions, or if any waiver, exception or variance is sought by the applicant from such ordinances, regulations, standards and conditions such shall be specifically noted with the justification for any such modification.

The use is a commercial retail fast food restaurant with a drive-through window in existing building space. The use will conform to the requirements of Sections 9-006, 9-501 and 9-505 of the Fairfax County Zoning Ordinance.

Compliance with Provisions of Section 9, Special Exceptions

The proposed facility is in compliance with the Provisions, General Standards and Requirements contained in Section 9 of the Zoning Ordinance as presented in the following:

General Standards (Section 9-006)

General Standard 1. The proposed use at the specified location shall be in harmony with the adopted Comprehensive Plan.

Applicants' Response: The proposed use will be located on property currently developed with a commercial building with a drive-through window formerly used for a financial institution. The fast food restaurant being proposed will not change or impact the character of the property nor that of surrounding properties and uses. In the Area IV Section of the Comprehensive Plan, Rose Hill Planning District, Lehigh Community Planning Sector (RH4), under the "Recommendations" section, page 69, the Plan states: "55. . . . Parcels 100-2 ((1))1, 1A & 1B are currently developed as retail and other uses under the current zoning. These uses are appropriate at an intensity of up to .20 FAR." The existing 2,151-square foot building is located on a 30,683-square foot parcel with a FAR of 0.07.

General Standard 2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations

Applicants' Response: The proposed property is zoned Commercial C-5 and is in general harmony with the general purpose and intent of this zoning district. The use will be in an existing commercial building formerly used for a financial institution that is associated with a small compact grouping of neighborhood retail uses including a veterinary clinic and convenience food store. This grouping is surrounded by existing non-residential uses including other C-2 zoned uses, the Fort Belvoir Military Reservation and the Hayfield Intermediate and High School. The proposed use will be neighborhood serving, have no adverse impacts on surrounding uses, and will utilize the existing structure on the site and will not change the existing character of the site or area.

General Standard 3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.

Applicants' Response: The proposed fast food restaurant will not adversely affect the existing use of the property or the development of neighboring properties. The use will occupy an existing vacant commercial building with minimal changes to the building's exterior and the property. There will be no changes to the existing building's dimensions or height or changes to fencing, screening or buffering. The use will not discourage the use or development of adjacent or nearby properties nor have any material changes on the character of the general area.

General Standard 4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.

Applicants' Response: The proposed use will utilize two existing points of access and egress from Telegraph Road to the property as well as the existing parking areas on site. There is an inter-parcel connection with the convenience food store on an adjacent parcel to the southwest. An existing four-foot-wide concrete side walk for pedestrian use crosses the front of the property along Telegraph Road and connects with adjoining properties to the north and south.

General Standard 5. In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.

Applicants' Response: The use will be totally within an existing vacant building and will not change the character of the property.

General Standard 6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.

Applicants' Response: The use will not require an open space provision.

General Standard 7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.

Applicants' Response: The use will be in an existing building and there will be no site changes, grading or land disturbance nor any increases to utilities, drainage, parking or loading areas or other necessary facilities that support the property and use.

General Standard 8. Signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.

Applicants' Response: The use will meet all signage requirements.

Standards for All Category 5 Uses (Section 9-505)

Additional Standards for Automobile-Oriented Uses, Car Washes, Drive-In Financial Institutions, Drive-Through Pharmacies, Fast Food Restaurants, Quick-Service Food Stores, Service Stations and Service Stations/Mini-Marts

The proposed facility is in compliance with the Provisions, General Standards and Requirements contained in Section 9 of the Zoning Ordinance as presented in the following:

1. In all districts where permitted by special exception:

A. Such a use shall have on all sides the same architectural features or shall be architecturally compatible with the building group or neighborhood with which it is associated.

Applicant's Response: The use will occupy an existing one-story, 2,151-square foot red colonial style with gable "A" roof. The existing building is of similar size and height and compatible with the small commercial grouping in which located. The building is also compatible with the surrounding neighborhood.

B. Such a use shall be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties.

Applicant's Response: An existing four-foot wide concrete sidewalk crosses the front of the property and provides pedestrian access to adjoining properties. There is an existing inter-parcel connection with the C-5 convenience food store on a parcel to the immediate southwest. The use will utilize existing points of access and egress to the property.

C. The site shall be designed to minimize the potential for turning movement conflicts and to facilitate safe and efficient on-site circulation. Parking and stacking spaces shall be provided and located in such a manner as to facilitate safe and convenient vehicle and pedestrian access to all uses on the site.

Applicant's Response: The site is developed with two points of access/egress, a paved area for customer and employee parking, a dedicated traffic lane for the drive-through window use, inter-parcel connection with the existing C-5 zoned parcel to the southwest, and safe and efficient on-site circulation. A public sidewalk crosses the front of the property and connects with adjoining parcels to the north and south and there are on-site pedestrian sidewalks from all parking areas to the building entrances.

D. In reviewing such a use or combination of uses, it shall be determined that the lot is of sufficient area and width to accommodate the use and that any such use will not adversely affect any nearby existing or planned residential areas as a result of the hours of operation, noise generation, parking, glare or other operational factors.

Applicant's Response: The existing 2,151-square foot building on the property will accommodate the use and is located on a 30,683-square foot parcel. The footprint and built area on the site fully accommodates the use and there will not be any adverse effects with existing and planned residential area.

E. For a drive-through pharmacy, signs shall be required to be posted in the vicinity of the stacking area stating the limitations on the use of the window service and/or drive-

through lane. Such signs shall not exceed two (2) square feet in area or be located closer than five (5) feet to any lot line.

Applicant's Response: Not applicable to the proposed use.

.

3. In the C-5 and C-6 Districts, in addition to Par. 1 above:

A. There shall be no outdoor storage or display of goods offered for sale except for the outdoor storage or display of goods permitted at a service station or service station/mini-mart.

Applicant's Response: There will be no outdoor storage or display of goods associated with the proposed use.

B. Service stations and service station/mini-marts shall not be used for the performance of major repairs, and no wrecked, inoperative or abandoned vehicles may be temporarily stored outdoors for a period in excess of seventy-two (72) hours, subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, there shall be no more than two (2) such vehicles on site at any one time.

Applicant's Response: Not applicable to the proposed use.

COMPLIANCE WITH THE FAIRFAX COUNTY COMPREHENSIVE PLAN

The property is in the Rose Hill Planning District, Leehigh Community Planning Sector (RH4), Planning Area IV, and is planned for residential use at 2 - 3 dwelling units per acre. Under the "Recommendations", for this sector, the Plan states:

"55. The corner area between Telegraph Road and Old Telegraph Road (TM 100-1((4)) 1, 100-1((2))1, 2 & 3, 100-1((9)) A, 1 & 2 and 100-2((1))1, 1A & 1B) is planned at 2-3 dwelling units per acre. Any development in this area should be at the low end of the Plan range, unless significant consolidation is achieved and access is unified and oriented to Old Telegraph Road. Parcels 100-2((1))1, 1A & 1B are currently developed as retail and other uses under the current zoning. These uses are appropriate at an intensity of up to .20 FAR."

The retail use is developed under the current C-5 zoning, is located on identified parcel 100-2((1)) 1A. The 2,151-square foot building is located on a 30,683-square foot parcel with an FAR of 0.07. There are no planned increases to the buildings dimensions or height associated with this SE application.

Conclusion

Considering the foregoing, the Applicant respectfully submits the fast food restaurant with drive through window proposed in this Special Exception application is in compliance with the Fairfax County Zoning Ordinance and Comprehensive Plan. Granting the Applicants' request will be appropriate and in the interest of the citizens of Fairfax County.

SPECIAL EXCEPTION AFFIDAVIT

139474a

DATE: June 13, 2017
(enter date affidavit is notarized)I, Edward L. Donohue, do hereby state that I am an
(enter name of applicant or authorized agent)(check one) ☐ applicant
 ☒ applicant's authorized agent listed in Par. 1(a) belowin Application No.(s): SE 2017-LE-006
(enter County-assigned application number(s), e.g. SE 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(**NOTE:** All relationships to the application listed above in **BOLD** print are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
DVA Telegraph-7710 LLC Paul Gauthier	82 Flanders Road, Suite 301 Westborough, MA 01581	Applicant/Lessee
Telegraph Centre, LLC Jerry A. Hinn	9378 Mount Vernon Circle Alexandria, VA 22309	Property Owner
DDC Management LLC James Stanley, Director of Operations	624 Center Street Herndon VA 20170	Owner of DVA Telegraph-7710 LLC Applicant/Lessee
LS2PC Land Surveying & Civil Engineering Lawrence H. Spillman, III	2890 Emma Lee Street, Suite 200 Falls Church, VA 22042	Engineers for Applicant/Lessee DVA Telegraph-7710 LLC
J. Mayer Architects, LLC Francisco Lobos	2553 Housley Road, Suite 103 Annapolis, MD 21401	Architects for Applicant/Lessee DVA Telegraph-7710 LLC
Donohue & Stearns, PLC Edward L. Donohue Frank W. Stearns	117 Oronoco Street Alexandria, VA 22314	Attorneys for Applicant/Lessee DVA Telegraph-7710 LLC

(check if applicable)

☒ There are more relationships to be listed and Par. 1(a) is continued on a "Special Exception Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Special Exception Attachment to Par. 1(a)

DATE: June 13, 2017
(enter date affidavit is notarized)

139474a

for Application No. (s): SE 2017-LE-006
(enter County-assigned application number (s))

(NOTE: All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel (s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
<ul style="list-style-type: none"> M.J. Wells & Associates, Inc. Robin L. Antonucci Brian J. Horan 	1420 Spring Hill Road, Suite 610 Tysons, VA 22102	Traffic Consultant for Applicant/Lessee DVA Telegraph-7710 LLC

(check if applicable) ☐ There are more relationships to be listed and Par. 1(a) is continued further on a "Special Exception Attachment to Par. 1(a)" form.

Information added.

SPECIAL EXCEPTION AFFIDAVIT

DATE: June 13, 2017
(enter date affidavit is notarized)

139474a

for Application No. (s): SE 2017-LE-006
(enter County-assigned application number(s))

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name and number, street, city, state, and zip code) DVA Telegraph - 7710 LLC
82 Flanders Road, Suite 301
Westborough, MA 01581

DESCRIPTION OF CORPORATION: (check one statement)

- ☒ There are 10 or less shareholders, and all of the shareholders are listed below.
☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial and last name)
DDC Management, LLC

(check if applicable) ☒ There is more corporation information and Par. 1(b) is continued on a "Special Exception Affidavit Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Special Exception Attachment to Par. 1(b)

DATE: June 13, 2017
(enter date affidavit is notarized)

139474a

for Application No. (s): SE 2017-LE-006
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

DDC Management, LLC
82 Flanders Road, Suite 301
Westborough, MA 01581

DESCRIPTION OF CORPORATION: (check one statement)

- ☒ There are 10 or less shareholders, and all of the shareholders are listed below.
☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Konstantinos Skrivanos
Evangelos Moutoudis
Craig Benson
Dick Anagost

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Telegraph Centre, LLC
9378 Mount Vernon Circle
Alexandria, VA 22309

DESCRIPTION OF CORPORATION: (check one statement)

- ☒ There are 10 or less shareholders, and all of the shareholders are listed below.
☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Jerry A. Hinn

(check if applicable) ☒ There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

Special Exception Attachment to Par. 1(b)

DATE: June 13, 2017
(enter date affidavit is notarized)

139474a

for Application No. (s): SE 2017-LE-006
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

LS2PC Land Surveying & Civil Engineering
2890 Emma Lee Street, Suite 200
Falls Church, VA 22042

DESCRIPTION OF CORPORATION: (check one statement)

- ☒ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Lawrence H. Spilman

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

J. Mayer Architects, LLC
2553 Housley Road, Suite 103
Annapolis, MD 21401

DESCRIPTION OF CORPORATION: (check one statement)

- ☒ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Joseph Gerard Mayer II

(check if applicable) ☒ There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

Special Exception Attachment to Par. 1(b)

DATE: June 13, 2017
(enter date affidavit is notarized)

139474a

for Application No. (s): SE 2017-LE-006
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Donohue & Stearns, PLC
117 Oronoco Street
Alexandria, VA 22314

DESCRIPTION OF CORPORATION: (check one statement)

- ☒ There are 10 or less shareholders, and all of the shareholders are listed below.
☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Edward L. Donohue
Frank W. Stearns

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

M.J. Wells & Associates, Inc.
1420 Spring Hill Road, Suite 610
Tysons, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

- ☐ There are 10 or less shareholders, and all of the shareholders are listed below.
☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
☒ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

M.J. Wells & Associates, Inc. is an
Employee Stock Ownership Plan (ESOP).
All employees are eligible Plan participants;
however, no one employee owns more than
10% of any class of stock.

(check if applicable) ☐ There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

Information added.

SPECIAL EXCEPTION AFFIDAVIT

DATE: June 13, 2017
(enter date affidavit is notarized)

139474a

for Application No. (s): SE 2017-LE-006
(enter County-assigned application number(s))

1(c). The following constitutes a listing*** of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, and number, street, city, state, and zip code)

(check if applicable) ☐ The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

(check if applicable) ☐ There is more partnership information and Par. 1(c) is continued on a "Special Exception Affidavit Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

SPECIAL EXCEPTION AFFIDAVIT

DATE: June 13, 2017
(enter date affidavit is notarized)

139474a

for Application No. (s): SE 2017-LE-006
(enter County-assigned application number(s))

1(d). One of the following boxes **must** be checked:

☐ In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

☒ Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (**NOTE:** If answer is none, enter "NONE" on the line below.)

None

(check if applicable) ☐ There are more interests to be listed and Par. 2 is continued on a "Special Exception Attachment to Par. 2" form.

SPECIAL EXCEPTION AFFIDAVIT

139474a

DATE: June 13, 2017
(enter date affidavit is notarized)

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

- Frank W. Stearns of Donohue & Stearns has contributed in excess of \$100 to Supervisor Pat Herry.
- Frank W. Stearns of Donohue & Stearns has contributed in excess of \$100 to Supervisor John Cook.
- Jerry A. Hinn of Telegraph Centre LLC has contributed in excess of \$100 to Supervisor Jeff McKay.

NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) ☐ There are more disclosures to be listed and Par. 3 is continued on a "Special Exception Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

☐ Applicant

☒ Applicant's Authorized Agent

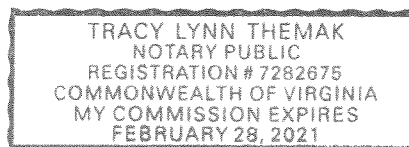
Edward L. Donohue

(type or print first name, middle initial, last name, and & title of signer)

Subscribed and sworn to before me this 13th day of June 20 17, in the State/Comm. of Virginia, County/City of Alexandria.

Tracy Lynn Themak
Notary Public

My commission expires: 2-28-21





County of Fairfax, Virginia

MEMORANDUM

DATE: June 15, 2017

TO: Tracy Strunk, AICP, Director
Zoning Evaluation Division, DPZ

FROM: Denise M. James, Chief *DMJ*
Environment and Development Review Branch, DPZ

SUBJECT: **Land Use Analysis:**
SE 2017-LE-006 DVA Telegraph – 7710, LLC

This memorandum, prepared by Mike Van Atta, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the development plans dated January 12, 2017 as revised through June 8, 2017. The extent to which the proposed use, intensity and development plan are consistent with the land use guidance contained in the Comprehensive Plan, is noted. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

DESCRIPTION OF THE APPLICATION

The applicant, DVA Telegraph – 7710, LLC, is requesting a Special Exception (SE) for .70 acres (30,683 square feet) located on Tax Map Parcel 100-2 ((1)) 1A in the Rose Hill Planning District. The applicant proposes an SE to reuse an existing building for the use of a Dunkin Donuts fast food restaurant with a drive-thru window.

LOCATION AND CHARACTER OF THE AREA

The subject site is located west of Telegraph Road, north of the Old Telegraph Road and Telegraph Road intersection, and south of Hayfield High School in the RH4 Lehigh Community Planning Sector of the Rose Hill Planning District in the Lee Supervisory District. The site consists of one parcel zoned C-5. The site is currently developed with a 2,151 square foot free-standing building and associated surface parking.

The subject property is surrounded by Hayfield High School (zoned R-3) to the north, undeveloped open space (zoned R-C) across Telegraph Road to the east, retail uses (zoned C-5) and single-family detached dwelling units (zoned R-3) to the south, and surface parking

Department of Planning and Zoning
Planning Division
12055 Government Center Parkway, Suite 730
Fairfax, Virginia 22035-5509
Phone 703-324-1380
Fax 703-653-9447
www.fairfaxcounty.gov/dpz/



associated with retail uses (zoned C-5) and a single-family detached dwelling unit (zoned R-3) to the west.

COMPREHENSIVE PLAN CITATIONS:

The Comprehensive Plan Areawide Recommendations for the Rose Hill Planning District may be accessed at:

<http://www.fairfaxcounty.gov/dpz/comprehensiveplan/area4/rosehill.pdf>.

In the Fairfax County Comprehensive Plan, 2013 Edition, Area IV, Rose Hill Planning District, as amended through March 14, 2017, RH4-Lehigh Community Planning Sector, on Page 69, the Plan, as applied to the application area, states the following:

“55. The corner area between Telegraph Road and Old Telegraph Road (TM 100-1((4))1, 100-1((2))1, 2 & 3, 100-1((9))A, 1 & 2 and 100-2((1))1, 1A & 1B) is planned at 2-3 dwelling units per acre. Any development in this area should be at the low end of the Plan range, unless significant consolidation is achieved and access is unified and oriented to Old Telegraph Road. Parcels 100-2((1))1, 1A & 1B are currently developed as retail and other uses under the current zoning. These uses are appropriate at an intensity of up to .20 FAR.”

COMPREHENSIVE PLAN MAP: Alternative Uses

LAND USE ANALYSIS

Use and Intensity

The applicant is seeking to reuse the existing one-story building for a Dunkin Donuts fast food restaurant with a drive-thru window. There is no proposed increase to the building's square footage or height, and no exterior building modifications are proposed other than an entrance awning, lighting, and signage. A new drive thru speaker area with a canopy, a fenced dumpster area, a concrete pad at the rear of the building, new curbing and a sign pylon would be added to the site. The hours of operation would be from 5:00 a.m. to 9:00 p.m. seven days a week, and the proposed use would have 15 employees. The Plan states that the site is appropriate for retail use at an intensity of up to .20 FAR. The proposed commercial development at a proposed intensity of .07 FAR is consistent with the Plan's guidance regarding use and intensity.

Streetscape/Connectivity

The site is currently improved with a 5-foot wide concrete sidewalk across the Telegraph Road frontage of the site. Vehicle access is currently accommodated by two full movement access points off of Telegraph Road, and interparcel access exists between the subject property and the adjacent retail use to the south. The northern access point is proposed to be reserved as an entrance only and the southern access point is proposed to be reserved as an exit only to improve circulation on the site. No modifications are proposed for the existing sidewalk or interparcel connection. An interparcel easement is proposed to be provided with the final site plan submission. Right-of-way (ROW) dedication of 42.5 feet from the centerline is proposed along

the Telegraph Road frontage of the site to accommodate the future widening of Telegraph Road. However, the Fairfax County Department of Transportation (FCDOT) has recommended a ROW dedication of 53.5 feet from the centerline of Telegraph Road. Should FCDOT's recommendation be incorporated, the proposed interparcel connection would no longer be feasible. In that instance, staff would recommend relocating the interparcel connection to the properties to the south.

Site Design/Open Space

The site currently contains 29 parking spaces and a drive thru window with three lanes. The parking spaces are proposed to be reconfigured to 19 parking spaces and one handicapped parking space; a new drive thru speaker area with a canopy, a fenced dumpster area, a concrete pad at the rear of the building, new curbing and a sign pylon would be added to the site. No modifications are proposed to any open space or landscaping for the site.

The applicant has stated that open space tabulations, a stormwater narrative, and tree preservation and landscaping details will be provided at final site plan. Staff strongly encourages the applicant to provide these details during the SE process to ensure that these topics can be addressed without substantial changes to the proposal.

Architectural and Building Design

A one-story, colonial style freestanding brick structure currently exists on the site. The building, which is currently vacant but was formerly used by a financial institution, has a ground floor area of 2,151 square feet and is 24.5 feet tall. No increases are proposed to the footprint or height of the building. The applicant has provided conceptual elevations for the building that is proposed to be repurposed. No exterior modifications are proposed other than modifications to the entrance awning, lighting, and signage.

CONCLUSION

Staff concludes that the proposal for a fast food restaurant on the subject site is in harmony with the adopted Plan guidance for the site.

However, the lack of details regarding open space, tree preservation, landscaping, and stormwater management is an outstanding issue. These details should be addressed during the SE process.

DMJ/MVA



County of Fairfax, Virginia

MEMORANDUM

DATE: June 15, 2017

TO: Tracy Strunk, Director
Zoning Evaluation Division, DPZ

FROM: Michael A. Davis, Acting Chief *JCH For MAD*
Site Analysis Section, DOT

SUBJECT: Transportation Impact
SE 2017-LE-006; DVA Telegraph - 7710, LLC
Tax Map # 100-2 ((9)) 6B

This department has reviewed the Special Exception (SE) plat, dated June 6, 2017, and the memorandum from Wells and Associates, dated June 1, 2017. We have the following unresolved issues with the proposed application:

- Insufficient right-of-way dedication on Telegraph Road

The County's Comprehensive Plan recommends that Telegraph Road be improved as a 4-lane divided roadway with a major paved trail. Additionally, the Bicycle Master Plan recommends on-road bike lanes. The existing 2-lane portion of Telegraph Road including the segment adjacent to the application property experiences congestion in the morning and evening peak hours. At the request of the applicant, staff has laid out a reduced cross section of 53.5 feet from the centerline to satisfy the Comprehensive Plan recommendation and discussed with the applicant that a waiver of the minimum front yard requirement would be supported by staff. However, the applicant only shows a dedication of 42.5 feet. The proposed dedication would not provide sufficient right-of-way to accommodate transportation improvements as called out in the Comprehensive Plan.

- Waiver of a required right turn lane

Based on the trip generation analysis, the proposed use would generate 113 AM peak hour inbound trips during the adjacent street's peak hour. The applicant's analysis shows that a full width right turn lane is required for the proposed Dunkin' Donuts. The applicant is requesting a waiver of the required right turn lane from the Virginia Department of Transportation (VDOT) because 1) no other property within 2,000 feet *north of the site* has an exclusive right turn lane and 2) they do not have sufficient frontage to provide a standard full width right turn lane and would thus require an off-site easement from the Fairfax County Public Schools. VDOT has not weighed in on this request. FCDOT would support VDOT if the waiver is accepted.

- Width of the proposed egress-only access

In an effort to reduce vehicular conflicts with the proposed drive through, the applicant has agreed to make the southern access egress-only by signage. Staff is concerned that signage would not be sufficient without physically narrowing the existing 30-foot wide two-way entrance to 16-20 feet for a one-way access as recommended in VDOT's Access

Ms. Tracy Strunk, Director
June 15, 2017
Page 2 of 2

Management Design Standards for Entrances and Intersections. Staff recommends that the entrance width be narrowed to 16 feet by extending the curb and gutter at the entrance or using large planter boxes to effectively reduce the width of the driveway.

- Lack of alternative area for inter-parcel access

A transportation improvement project to widen Telegraph Road to 4 lanes would eliminate the current inter-parcel access with the property to the south. Staff would like the applicant to propose an alternative inter-parcel access location should Telegraph Road be widened by others.

MAD/AY
cc: Kelly Posusney



County of Fairfax, Virginia

MEMORANDUM

DATE: June 28, 2017

TO: Kelly Posusney
Staff Coordinator
Department of Planning and Zoning
Zoning Evaluation Division

FROM: Patrick O'Brien, Urban Forester II
Forest Conservation Branch, DPWES *Pos*

SUBJECT: Dunkin Donuts, SE 2017-LE-006

Based on a review of SE 2017-LE-006 (DVA Telegraph – 7710, LLC) date stamped received by the Department of Planning and Zoning on June 26, 2017, Urban Forest Management comments have been adequately addressed. Urban Forest Management has no further comments regarding tree preservation or landscaping.

If further assistance is desired, please contact me at 703-324-1770.

po/

UFMDID #: 230540

cc: DPZ File

Department of Public Works and Environmental Services

Urban Forest Management Division

12055 Government Center Parkway, Suite 518

Fairfax, Virginia 22035-5503

Phone 703-324-1770, TTY: 711, Fax: 703-653-9550

www.fairfaxcounty.gov/dpwes





County of Fairfax, Virginia

MEMORANDUM

DATE: June 16, 2017

TO: Kelly Posusney
Staff Coordinator
Department of Planning and Zoning
Zoning Evaluation Division

FROM: Patrick O'Brien, Urban Forester II
Forest Conservation Branch, DPWES *Pos*

SUBJECT: Dunkin Donuts, SE 2017-LE-006

This review is based upon the SE 2017-LE-006 (DVA Telegraph – 7710, LLC). The application is stamped as “Received Department of Planning & Zoning June 12, 2017.” A site visit was conducted on June 13, 2017 as part of the review for the application.

General Comments

1. **Comment:** It is unclear if tree canopy requirements will be met as 10-year tree canopy calculations have not been provided. Tree canopy requirements met through the preservation of existing trees or planting of trees should be calculated as described in PFM 12-0511.

Recommendation: Tree canopy calculations should be provided as described in PFM 12-0511 and Table 12.10 to demonstrate compliance with 10-year canopy requirements.

2. **Comment:** Tree preservation target calculations have not been provided making unclear if the project will meet the Tree Preservation Target level as described in PFM 12-0508. Given that the Tree Preservation Plan identifies the removal of a significant amount of existing canopy, a deviation from the tree preservation target may be required.

Recommendation: Tree preservation target calculations as described in PFM 12-0508 should be provided that demonstrates compliance with tree preservation requirements.

3. **Comment:** A landscape plan has not been provided. A landscape plan in accordance with PFM 12-0515 is required if plantings are necessary to satisfy the 10-year canopy tree canopy requirements.

Recommendation: The applicant should provide a landscape plan for any proposed plantings used to demonstrate compliance with 10-year canopy tree canopy requirements.

Department of Public Works and Environmental Services
Urban Forest Management Division

12055 Government Center Parkway, Suite 518
Fairfax, Virginia 22035-5503
Phone 703-324-1770, TTY: 711, Fax: 703-653-9550
www.fairfaxcounty.gov/dpwes



4. **Comment:** The existing tree inventory identifies a majority of the inventoried trees to be removed as a result of proposed construction. However, it is unclear from the tree preservation plan how the project will impact existing trees as the limits of clearing are not adjacent to the existing trees.

Recommendation: Clearing should be limited to the minimum area necessary to construct the proposed improvements. The removal of vegetation located outside the limits of disturbance should be re-evaluated to preserve trees that will survive in a healthy and structurally sound manner for a minimum of 10-years in accordance with the post-development standards for trees.

po/

UFMDID #: 230540

cc: DPZ File



Zoning Ordinance Provisions

9-006 General Standards (Special Exceptions)

In addition to the specific standards set forth hereinafter with regard to particular special exception uses, all such uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.

9-503 Standards for all Category 5 Uses (Special Exceptions)

In addition to the general standards set forth in Sect. 006 above, all Category 5 special exception uses shall satisfy the following standards:

1. Except as qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located.
2. All uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports illumination plan or photometric plan as may be required by Part 9 of Article 14.
3. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

9-611 Provisions for Approving Drive-In Financial Institutions, Fast Food Restaurants, Quick-Service Food Stores, Service Stations and Service Station/Mini-Marts in a Highway Corridor Overlay District

The Board may approve a special exception for the establishment or for the enlargement, extension, relocation or increase in intensity of a drive-in financial institution, fast food restaurant, quick-service food store, service station or service station/mini-mart in a Highway Corridor Overlay District, but only in accordance with the provisions of Part 6 of Article 7.

7-608 Use Limitations (Highway Corridor Overlay District)

All uses shall be subject to the use limitations set forth in the underlying zoning district(s), and, in addition, drive-in financial institutions, fast food restaurants, quick-service food stores, service stations and service station/mini-marts shall be subject to the following use limitations:

1. In any Highway Corridor Overlay District:
 - A. Such a use shall be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties.
 - B. Such a use shall have access designed so as not to impede traffic on a public street intended to carry through traffic. To such end, access via the following means may be given favorable consideration:
 - 1) Access to the site is provided by a public street other than one intended to carry through traffic, and/or
 - 2) Access to the site is provided via the internal circulation of a shopping center, which center contains at least six (6) other commercial uses, or an office complex having a limited number of well-designed access points to the public street system and no additional direct access is provided to the site from a public street intended to carry through traffic over and above those entrances which may exist to provide access to the shopping center, and/or
 - 3) Access to the site is provided by a functional service drive, which provides controlled access to the site.
2.
3. Where the underlying district is C-5 or C-6, in addition to Par. 1 above:
 - A. Service stations and service station/mini-marts shall not be used for the performance of major repairs, and no wrecked, inoperative or abandoned vehicles may be temporarily stored outdoors for a period in excess of seventy-two (72) hours, subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, there shall be no more than two (2) such vehicles on site at any one time.

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

ABANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

ACCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

CHESAPEAKE BAY PRESERVATION ORDINANCE: Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

COUNTY 2232 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dBA: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area: information such as topography, location and size of proposed structures, location of streets trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

P DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

URBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		